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BEFORE THE  
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD  
PERMITTING AND ENFORCEMENT COMMITTEE

IN THE MATTER OF THE:                    )  
  )  
PERMITTING AND                            )  
                  ENFORCEMENT COMMITTEE                    )  
  )

DATE AND TIME:           TUESDAY, DECEMBER 9, 1997  
                                  9:30 A.M.

PLACE:                    BOARD HEARING ROOM  
                                  8800 CAL CENTER DRIVE  
                                  SACRAMENTO, CALIFORNIA

REPORTER:                BETH C. DRAIN, RPR, CSR  
                                  CERTIFICATE NO. 7152

BRS FILE NO.:           42701



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APPEARANCES

MR. ROBERT FRAZEE, CHAIRMAN  
MR. STEVEN R. JONES, MEMBER  
MR. PAUL RELIS, MEMBER

STAFF PRESENT

MR. RALPH CHANDLER, EXECUTIVE DIRECTOR  
MR. KEITH SMITH, DEPUTY DIRECTOR  
MR. ELLIOT BLOCK, LEGAL COUNSEL

MS. LORI LOPEZ, COMMITTEE SECRETARY



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23

ACTION

33

24

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1           SACRAMENTO, CALIFORNIA; TUESDAY, DECEMBER 9, 1997

2                               9:30 A.M.

3

4                   CHAIRMAN FRAZEE:   THE MEETING WILL COME TO  
5   ORDER, PLEASE.   THIS IS THE TUESDAY, DECEMBER 9TH  
6   MEETING OF THE PERMITTING AND ENFORCEMENT COMMITTEE  
7   OF THE CALIFORNIA INTEGRATED WASTE MANAGEMENT  
8   BOARD.   SECRETARY WILL CALL THE ROLL, PLEASE.

9                   THE SECRETARY:   BOARD MEMBER JONES.

10                  MEMBER JONES:   HERE.

11                  THE SECRETARY:   BOARD MEMBER RELIS.

12                  MEMBER RELIS:   HERE.

13                  THE SECRETARY:   CHAIRMAN FRAZEE.

14                  CHAIRMAN FRAZEE:   HERE.   ALL MEMBERS ARE  
15   PRESENT.

16                               DO WE HAVE ANY EX PARTE COMMUNICA-  
17   TIONS?

18                  MEMBER JONES:   NO.

19                  MEMBER RELIS:   NO.

20                  CHAIRMAN FRAZEE:   NONE FOR ME.

21                               AND BY WAY OF ANNOUNCEMENTS, FIRST  
22   ON  
23   THE AGENDA, ITEM 7 AND ITEM 12 HAVE BEEN PULLED  
FROM CONSIDERATION TODAY.



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24                                   AND AS USUAL, THERE ARE SPEAKER

SLIPS

25       ON THE BACK TABLE. IF ANYONE WISHES TO SPEAK TO



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1 THE COMMITTEE ON ANY ITEM ON THE AGENDA, IF THEY  
2 WOULD FILL OUT A SLIP AND BRING IT FORWARD TO THE  
3 COMMITTEE SECRETARY SO THAT WE CAN CALL ON YOU AT  
4 THE APPROPRIATE TIME.

5 NOW, FIRST OF ALL, WE'LL START WITH  
6 THE REPORT FROM THE DEPUTY DIRECTOR.

7 MS. RICE: THANK YOU, MR. CHAIRMAN AND  
8 MEMBERS, AND GOOD MORNING. A VERY BRIEF REPORT  
9 THIS MORNING, TWO ITEMS. FIRST OF ALL, THE MONTHLY  
10 UPDATE ON ENFORCEMENT ACTIONS TAKEN BY LEA'S FOR  
11 VIOLATIONS AT STORAGE AND CHIPPING AND GRINDING  
12 ACTIVITIES, AND THEN I THOUGHT I'D PROVIDE SOME  
13 VERY BRIEF INFORMATION ON THE NUMBER OF REGULATORY  
14 PACKAGES WE HAVE GOING IN THE DIVISION TO PROVIDE  
15 YOU WITH SOME MILESTONES THERE.

16 I DO HAVE A MEMO THAT I MEANT TO GET  
17 TO YOU EARLIER, BUT I'LL PROVIDE YOU RIGHT NOW.  
18 THIS IS A WRITTEN UPDATE ON THE ENFORCEMENT ACTIONS  
19 TAKEN BY LEA'S FOR VIOLATIONS AT STORAGE AND  
20 CHIPPING AND GRINDING ACTIVITIES. I DO HAVE A FEW  
21 COPIES UP HERE AND WILL ARRANGE TO HAVE MORE COPIES  
22 MADE FOR THE AUDIENCE AND OTHER INTERESTED PARTIES  
23 AS SOON AS I'M ABLE TO GET THAT DONE. I'LL ALSO  
24 GET ADDITIONAL HARD COPIES TO YOUR OFFICES IN CASE



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25        THESE ARE MISPLACED.



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1                   FIRST OF ALL, I WANT TO SAY THAT WE  
2   FEEL FAIRLY CONFIDENT WITH THIS REPORT THAT WE ARE  
3   COVERING ALL LEA JURISDICTIONS. WE DID A COMPRE-  
4   HENSIVE SURVEY AND WILL CONTINUE TO DO THAT MONTHLY  
5   AND HAD TREMENDOUS COOPERATION FROM THE LEA'S IN  
6   TERMS OF GIVING US THIS INFORMATION. SO I WANT TO  
7   THANK THEM AND ALSO SINCERELY THANK BRIAN LARRIMORE  
8   FOR PULLING THIS TOGETHER AND WOULD APPRECIATE ANY  
9   FEEDBACK ON WHETHER THIS MEETS YOUR NEEDS FOR THIS  
10  KIND OF REPORTING ON A MONTHLY BASIS.

11                   THE REPORT DEFINES AND INCLUDES  
12  ENFORCEMENT ACTIONS WHICH INCLUDE NOTICE AND  
13  ORDERS, CEASE AND DESIST ORDERS, AND NOTICES OF  
14  VIOLATION. AND AS I INDICATED, WE DO BELIEVE IT  
15  CONTAINS INFORMATION FROM ALL LEA JURISDICTIONS  
16  THAT WE SURVEYED. YOU WILL NOTE THAT ENFORCEMENT  
17  ACTIONS ARE UNDER WAY IN A NUMBER OF COUNTIES:  
18  FRESNO COUNTY, KERN COUNTY, L.A. COUNTY, ORANGE  
19  COUNTY, RIVERSIDE, A NUMBER OF ORDERS AND ACTIONS  
20  IN RIVERSIDE COUNTY IN VARIOUS LOCATIONS, TWO IN  
21  SACRAMENTO COUNTY, PACIFIC SOUTHWEST FARMS IN SAN  
22  BERNARDINO COUNTY, WHICH I KNOW YOU ARE FAMILIAR  
23  WITH, TWO IN SAN DIEGO COUNTY, WHICH I BELIEVE YOU



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24 ARE ALSO SOMEWHAT FAMILIAR WITH, AND THEN LASTLY,  
25 REPORTING ON VENTURA COUNTY WHERE THERE CONTINUES



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1 TO BE DISCUSSION BETWEEN COUNTY COUNSEL AND THE LEA  
2 AS TO WHETHER THE CHIPPING AND GRINDING STANDARD  
3 CAN BE UTILIZED AS AN ENFORCEMENT TOOL.

4 I UNDERSTAND THERE HAS NOT BEEN AN  
5 ACTION TAKEN, BUT IT'S UNDER CONSIDERATION BY THE  
6 COUNTY, SO WOULD BE HAPPY TO ANSWER ANY QUESTIONS  
7 ABOUT THIS INFORMATION OR PROVIDE YOU TIME TO READ  
8 IT AT YOUR LEISURE AND GET BACK TO STAFF IF YOU  
9 WOULD LIKE MORE DETAIL ON ANY OF THESE ACTIONS.  
10 BUT WE DO FEEL, BASED ON THIS REPORTING, THAT THE  
11 REGULATIONS ARE BEING UTILIZED, AND LEA'S ARE  
12 CONSIDERING UTILIZING THEM WHEN THESE SITUATIONS  
13 ARISE.

14 YOU WILL NOTE FROM THE WRITEUP THAT  
15 IN SOME INSTANCES LOCAL ORDINANCES WERE USED AS THE  
16 ENFORCEMENT TOOL RATHER THAN THE REGULATIONS, BUT  
17 THE SENSE IS THAT CONSIDERATION IS GIVEN TO WHAT IS  
18 THE APPROPRIATE TOOL, WHETHER IT'S THESE REGULA-  
19 TIONS OR A LOCAL ORDINANCE OR SOME OTHER  
20 MECHANISM. SO I THINK THAT'S WHAT YOUR DESIRE WAS,  
21 TO SEE THAT LEA'S WERE AWARE OF THEM AND CONSIDERED  
22 THEIR USE WHEN APPROPRIATE.

23 CHAIRMAN FRAZEE: THIS IS ALL OF THE



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24           OUTSTANDING CEASE AND DESIST ORDERS.

25                       MS. RICE:   CORRECT.



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1                   CHAIRMAN FRAZEE:   NOT JUST NEW ONES, BUT  
2   ALL OF THE OUTSTANDING.

3                   MS. RICE:   THAT'S CORRECT.   IF YOU WILL  
4   NOTICE FROM THE DATE, SOME OF THEM GO BACK QUITE A  
5   WAYS, AND I BELIEVE WE'RE ATTEMPTING TO COVER THE  
6   PERIOD FROM THE TIME THAT THE EMERGENCY REGULATIONS  
7   BECAME EFFECTIVE IN APRIL OF THIS YEAR TO THE  
8   CURRENT TIME.   SO SOME OF THESE ORDERS WERE ISSUED  
9   SOME TIME AGO, AND THEN THE WRITEUP PROVIDES, IN  
10   SOME CASES, INFORMATION ON WHETHER IT WAS  
11   SUCCESSFUL.

12                   FOR EXAMPLE, THERE ARE A COUPLE OF  
13   CEASE AND DESIST ORDERS NOTED WHERE THE OPERATIONS  
14   HAVE CEASED, AND SO THAT'S CLEARLY A SUCCESSFUL  
15   ACTION THAT WAS TAKEN.   OTHERS WHERE YOU WILL NOTE  
16   THAT A NUMBER OF ENFORCEMENT ACTIONS WERE NECESSARY  
17   AND THE EFFORT IS STILL ONGOING.

18                   CHAIRMAN FRAZEE:   AND THEN THERE ARE SOME  
19   THAT ARE OBVIOUS TO ME THAT APPARENTLY HAVE -- THE  
20   CEASE AND DESIST ORDER HAS COME THROUGH OTHER MEANS  
21   THROUGH LAND USE REGULATION OR SOMETHING OF THAT  
22   NATURE AND DO NOT APPEAR ON HERE.

23                   MS. RICE:   WELL, WE MADE AN EFFORT TO  
24   INCLUDE THOSE.   SO IF YOU ARE AWARE OF SOME, IF



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25        YOU'D BRING THOSE TO OUR ATTENTION, WE'D BE HAPPY  
9



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1 TO CONTACT THE LEA BECAUSE WE DID NOT RESTRICT THIS  
2 MEMO TO ENFORCEMENT UNDER THE CHIPPING AND GRINDING  
3 REGULATION. SO WE ATTEMPTED TO NOTE OTHER  
4 MECHANISMS SO THAT YOU COULD GET A SENSE OF WHAT  
5 TOOLS THE LEA WAS USING, SO WE WERE TRYING TO BE  
6 INCLUSIVE, BUT DID OUR BEST.

7 MEMBER RELIS: MR. CHAIR, I THINK THIS IS  
8 QUITE A LIST. I DIDN'T REALIZE WE HAD SO MUCH  
9 ENFORCEMENT ACTIVITY GOING ON OUT THERE. I JUST  
10 HAD A BRIEF QUESTION, AND THEN I'LL NEED TO SPEND  
11 MORE TIME WITH THIS LIST AND PROBABLY HAVE MY  
12 OFFICE CONTACT YOU, DOROTHY.

13 BUT UNDER THE VENTURA COUNTY ITEM,  
14 THE -- THERE'S REFERENCE, THE LEA ACTION AGAINST  
15 THIS SITE IS STALLED AS THEIR COUNTY COUNSEL HAS  
16 NIXED THE LEA'S PROPOSED CEASE AND DESIST ORDER.  
17 AND THEN FURTHER DOWN IT SAYS, CITY PLANNING WILL  
18 NOT TAKE ACTION AS THE SITE CONTRIBUTES TO THE 50-  
19 PERCENT MANDATE. THAT'S KIND OF AN INTERESTING  
20 TWIST.

21 MS. RICE: I ASSUME THAT STAFF WAS  
22 PARAPHRASING THINGS THEY HEARD FROM THE LEA WHEN  
23 THE CONTACTED HIM FOR INFORMATION ABOUT THIS. I  
24 THINK IT HAS BEEN BROUGHT TO THE ATTENTION OF THIS



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25 COMMITTEE BEFORE, IN PARTICULAR WHEN YOU WERE  
10



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1       DEBATING THE CHIPPING AND GRINDING REGULATIONS,  
2       THAT VENTURA COUNTY COUNSEL DOES NOT FEEL THAT TOOL  
3       TO BE A VERY EFFECTIVE ONE AND IS NOT UTILIZING IT,  
4       SO THIS IS NOT NEW INFORMATION TO US.

5                   AND I BELIEVE ELLIOT BLOCK HAS TALKED  
6       TO THE COUNTY COUNSEL THERE IN AN ATTEMPT TO  
7       CLARIFY THAT. I KNOW OUR COUNSEL FEELS THAT THE  
8       REGULATIONS CAN BE UTILIZED, THAT THERE IS FULL  
9       AUTHORITY, BUT ATTORNEYS WILL DISAGREE, I GATHER.

10                   MEMBER RELIS: WELL, ALWAYS IN THE SAKE  
11       OF -- FOR THE SAKE OF BEING AS UNIFORM AS POSSIBLE  
12       ON ENFORCEMENT-TYPE ISSUES, I MEAN ONE OF THE  
13       CRITICISMS ALWAYS LEVELED AT STATE GOVERNMENT,  
14       ESPECIALLY WHEN WE HAVE A REGIONAL CORRELATE OR  
15       SOMETHING LIKE THAT AND OUR LEA'S ARE THAT AS WELL,  
16       IT'S ALL OVER THE MAP. SOME AREA YOU GET ENFORCED  
17       AGAINST, ANOTHER YOU WOULDN'T, AND IT JUST SEEMS AT  
18       TIMES ARBITRARY.

19                   MS. RICE: UNDERSTAND. AND I KNOW THIS  
20       COMMITTEE HAS PROVIDED DIRECTION TO US IN PRIOR  
21       DISCUSSION TO GET SOME GUIDANCE OUT TO LEA'S IN  
22       TERMS OF OUR UNDERSTANDING OF THESE REGULATIONS AND  
23       THE AUTHORITY THEY PROVIDE.



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24 AS I WAS GOING TO MENTION IN MY  
25 REGULATORY UPDATE, THE PERMANENT CHIPPING AND



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1 GRINDING REGS ARE CURRENTLY AT OAL WITH THE 30-DAY  
2 REVIEW PERIOD TO END THE 12TH OF JANUARY. SO AS  
3 SOON AS THOSE FINAL REGS ARE IN PLACE, WE WOULD BE  
4 PUTTING AN ADVISORY OUT TO LEA'S THAT DESCRIBE THE  
5 REGULATIONS AND THE AUTHORITY WE BELIEVE THEY  
6 IMPART AND WOULD HIT VERY STRONGLY ON THIS POINT,  
7 THAT WE DO FEEL THE LEA HAS THE AUTHORITY TO  
8 UTILIZE THESE REGULATIONS.

9 MEMBER JONES: MR. CHAIRMAN, I HAVE TWO  
10 QUESTIONS. ON THE WEAVER SITE IN BAKERSFIELD, IT  
11 SAYS THERE'S NO -- THAT IT'S INACTIVE RIGHT NOW.  
12 IS -- HOW BIG ARE THE STOCKPILES? SIMILAR TO WHAT  
13 WE SAW IN MERCED?

14 MS. RICE: I BELIEVE THE LEA IS PRESENT  
15 AND MAY WANT TO SPEAK TO THAT SITE MORE ACCURATELY  
16 THAN I COULD. HE WAS HERE A MOMENT AGO. DOES  
17 STAFF HAVE AN ANSWER TO THAT QUESTION? I DO NOT.  
18 BILL WAS HERE A MOMENT AGO. PERHAPS HE'LL STEP  
19 BACK IN.

20 MEMBER JONES: I MEAN IF IT'S INACTIVE AND  
21 WE'VE GOT THE STUFF, WHO'S GOING TO DO THE CLEANUP  
22 ON IT? US?

23 AND THEN ON THE SACRAMENTO ONE, THE



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24 AMERICAN RIVER RECYCLING, I'M PRETTY SURE THIS WAS  
25 THE SITE I WENT AND SAW. THIS ONE HAS BEEN -- THIS



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1 HAS GOT A CEASE AND DESIST, AND I GUESS THEY'RE  
2 TRYING TO CLEAN IT UP, BUT MY QUESTION IS THEY'VE  
3 MOVED TO ANOTHER FACILITY. AND AT THAT OTHER  
4 FACILITY, THERE'S COMP ROOFING AND THERE'S A LOT OF  
5 COMP, A LOT OF TILE ROOFING WHICH DON'T FALL UNDER  
6 THE CHIP AND GRIND. THIS IS CLEARLY A LANDFILL IN  
7 THE MIDDLE OF THE COUNTY OF SACRAMENTO. WHAT ARE  
8 WE DOING AS FAR AS, YOU KNOW, WHEN AN OPERATION  
9 GETS SHUT DOWN WITH A CEASE AND DESIST AND THEN  
10 OPENS A MILE AND A HALF AWAY AS A RECYCLING  
11 FACILITY? WHAT DO WE -- HOW DO WE DEAL WITH THAT?

12 MS. RICE: WELL, THE LEA, I ASSUME,  
SHOULD

13 THEN PURSUE THAT OTHER FACILITY AND SEE WHAT  
14 ENFORCEMENT MECHANISM THEY WANT TO USE TO DEAL  
WITH

15 IT. IF IT'S NOT ONE THAT FITS UNDER THE CHIPPING  
16 AND GRINDING REGULATION, FROM YOUR DESCRIPTION --  
I

17 HAVEN'T SEEN THIS OPERATIONS, BUT IT SOUNDS AS  
18 THOUGH YOU MAY BE TALKING ABOUT AN ILLEGAL  
DISPOSAL

19 OR AN ILLEGAL TRANSFER OPERATION OF SOME KIND, SO



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20 MY GUESS WOULD BE THAT THERE ARE TOOLS IN EXISTING  
21 REGULATION THAT THE LEA COULD USE OTHER THAN THE  
22 CHIPPING AND GRINDING STORAGE STANDARD. ALTHOUGH  
23 THEY MAY BE ALSO ABLE TO USE THAT IF THERE ARE  
24 MULTIPLE FEEDSTOCKS THERE ON THE PROPERTY. WE CAN  
25 CERTAINLY CONTINUE DISCUSSION WITH THE LEA.



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1                   OUR INTENT WITH THIS REPORT IS TO  
2       UPDATE IT MONTHLY. SO WE'RE TRYING TO DEVELOP AN  
3       ONGOING DIALOGUE WITH THE LEA'S ABOUT ALL THESE  
4       TYPES OF ACTIONS. SO I'LL DIRECT STAFF TO  
5       SPECIFICALLY FOLLOW UP WITH SACRAMENTO COUNTY. I  
6       DON'T BELIEVE THEY'RE HERE TODAY, NOT HAVING ANY  
7       PERMITS ON THE AGENDA.

8                   MEMBER JONES: JUST IF YOU COULD JUST MAKE  
9       A NOTE OF SOMETHING TO THINK ABOUT WHEN WE'RE  
10      TALKING ABOUT THESE TYPES OF REGULATIONS AND THESE  
11      TYPES OF REMEDIES. WHAT I'M MORE WORRIED ABOUT, I  
12      DON'T WANT TO SEE THE LEGITIMATE RECYCLING ISSUE GO  
13      AWAY BECAUSE I THINK WE NEED IT, BUT WHAT WE'VE GOT  
14      TO THINK ABOUT, WHEN WE'RE DOING THESE STANDARDS,  
15      IS -- AS I UNDERSTAND IT, THIS FACILITY IS RUN BY A  
16      ROOFER WHO IS GAINING AN ADVANTAGE, I'M SURE, BY  
17      NOT PAYING DISPOSAL FEES THAT EVERYBODY ELSE IS.  
18      IF THAT ROOFER WALKS AWAY FROM THESE FACILITIES,  
19      THEN I'M SURE -- I MEAN I'M NOT POSITIVE, BUT I  
20      WOULD BE WILLING TO BET THAT SOMEBODY IS GOING TO  
21      COME TO US AND ASK US TO CLEAN IT UP WITH OUR  
22      DOLLARS.

23                   AND I'M WONDERING HOW WE INCORPORATE



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24 IN WHATEVER LEVEL OF REGULATORY OVERSIGHT WE NEED  
25 TO HAVE MAYBE AN IDEA OF THAT RECYCLING FACILITIES



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1        THAT REACH A CERTAIN -- THAT RECYCLE CERTAIN TYPES  
2        OF MATERIAL, AND I WOULD THINK THESE WOULD BE THE  
3        ONES BECAUSE THEY LEND THEMSELVES TO BECOMING  
4        ILLEGAL DUMP SITES, EITHER DEAL WITH -- IT DOESN'T  
5        REALLY HAVE TO BE A CLOSURE FUND, BUT I WAS  
6        THINKING ABOUT IT YESTERDAY, MAYBE SOME TYPE OF A  
7        BOND WHERE THE STOCKPILE IS SO MUCH MORE THAN WHAT  
8        CAN ACTUALLY BE PROCESSED OR WHAT WOULD BE  
9        CONSIDERED TO BE A NORMAL STOCKPILE OF MATERIAL  
FOR  
10       PROCESSING PURPOSES, THAT THERE BE SOME KIND OF A  
11       MECHANISM BECAUSE THE ADVANTAGE THAT'S GAINED  
TODAY  
12       ISN'T GOING TO EXIST WHEN THE EXPENSE GOES TO  
13       CLEANING THE MESS UP.    DEPENDING ON WHAT THE  
MARKET  
14       SHARE IS FOR THIS PARTICULAR INDIVIDUAL MAY NOT  
15       HAVE THE WHEREWITHAL IN TWO YEARS TO BE ABLE TO  
16       CLEAN IT UP AND WALK AWAY FROM IT.  
17                                SO IT'S KIND OF A TRICKY DILEMMA,  
AND  
18       I DON'T KNOW HOW WE DO IT, BUT I'D LIKE YOU TO  
GIVE



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19       IT A LITTLE BIT OF THOUGHT, AND MAYBE A BOND IS  
THE  
20       CHEAPEST WAY TO DEAL WITH IT, SO WE'RE NOT PAYING  
21       TO CLEAN UP THESE ILLEGAL DUMPS, BUT THIS IS  
22       CLEARLY AN ILLEGAL DUMP.

23               MS. RICE: IT'S CERTAINLY AN ISSUE, MR.  
24       JONES, THAT COULD BE RAISED EITHER IN THE CONTEXT  
25       OF THE TRANSFER PROCESSING STATION REGULATIONS,  
THE



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1 MRF REGULATIONS THAT ARE JUST SOON TO GO OUT FOR  
2 THEIR FIRST 45-DAY COMMENT PERIOD. SO IF THE  
3 CONCERN IS WITH ALLEGED RECYCLING OPERATIONS AND  
4 THEN LEAVING THE MATERIAL, THAT MIGHT BE A PLACE  
5 WHERE THE COMMITTEE AND THE BOARD COULD DISCUSS  
6 INCLUDING SOMETHING LIKE THAT.

7 AS YOU PROBABLY RECALL, INITIAL  
8 DISCUSSIONS ON THE COMPOST REGULATIONS, IN FACT,  
9 INCLUDED DISCUSSION OF WHETHER THERE SHOULD BE SOME  
10 KIND OF FINANCIAL ASSURANCES OR CLOSURE MECHANISM  
11 FOR A COMPOST FACILITY THAT HAS STOCKPILES OF  
12 MATERIAL AND THEN GOES OUT OF BUSINESS. ULTIMATELY  
13 THIS BOARD DID NOT OPT TO INCLUDE ANY SUCH  
14 PROVISIONS, BUT THIS IS AN ISSUE YOU'VE DISCUSSED  
15 BEFORE IN DIFFERENT CONTEXT OUT OF THE VERY SAME  
16 CONCERN YOU'RE MENTIONING, THAT SOMEONE MAY HAVE A  
17 VALID BUSINESS OPERATION TODAY OR GOOD INTENT TO  
18 HAVE ONE, BUT THEY ARE IN THE BUSINESS OF STOCK-  
19 PILING MATERIAL TO DO SOMETHING WITH IT, AND WHEN  
20 THEY CEASE TO BE ABLE TO DO SOMETHING, THEY LEAVE A  
21 STOCKPILE. SO IT'S CERTAINLY SOMETHING THAT  
22 MEMBERS COULD DISCUSS IN THE CONTEXT OF ANY OF THE  
23 UPCOMING REGULATIONS TO TIER VARIOUS TYPES OF



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24        FACILITIES.

25                    MEMBER JONES:    I JUST WANTED YOU TO MAKE A

16



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1 NOTE BECAUSE I MAY NOT REMEMBER WHEN WE GET TO THAT  
2 DISCUSSION, BUT I DON'T WANT IT TO BE A HINDRANCE.  
3 I JUST WANT IT TO BE SOME FORM OF PROTECTION  
4 BECAUSE THE ONE SITE THAT I SAW OUT THERE HAS GOT  
5 AN AWFUL LOT OF MATERIAL THAT'S GOING TO END UP  
6 HAVING TO BE HAULED AWAY, AND THAT'S GOING TO COST  
7 SOMEBODY AN AWFUL LOT OF MONEY.

8 MS. RICE: I'M SURE THAT THE VARIOUS  
9 OPERATORS WILL VIEW IT AS A HINDRANCE WHEN IT'S  
10 PROPOSED.

11 MEMBER RELIS: ON MR. JONES' POINT, I WAS  
12 THINKING, LOOKING DOWN THIS LIST, IT MIGHT BE  
13 HELPFUL TO US AS WE HEAD INTO THE PERMANENT REGS  
14 DISCUSSION HERE TO GET AN ORDER OF MAGNITUDE ON THE  
15 POTENTIAL LIABILITY THAT THESE PILES REPRESENT,  
16 LIKE WE ESTIMATE THAT IN, YOU KNOW, KERN COUNTY  
17 THESE -- THERE ARE THESE SITES, AND THERE'S THIS  
18 MUCH VOLUME AND THERE'S NO ACTIVITY.

19 I MEAN MOST OF THESE I WOULD EXPECT  
20 OR AT LEAST A GOOD NUMBER OF THESE REPRESENT PILES  
21 THAT ARE NOT LIKELY TO GO AWAY WITHOUT SOMEBODY  
22 DOING SOMETHING. AND SO THAT'S A FINANCIAL COST  
23 HANGING OUT THERE, WHICH THEN WOULD MAYBE HELP US



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24 UNDERSTAND WHAT MIGHT BE, IF WE WERE TO GO DOWN

25 THAT ROAD, STEVE, WHAT WE'RE LOOKING AT TRYING TO



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1       SET ASIDE, IF INDEED WE WENT THAT WAY.

2               MEMBER JONES:   YEAH.   I THINK THAT MAKES  
3       SENSE.   I THINK THE LEA FROM KERN COUNTY HAS WALKED  
4       IN THE ROOM AND MAYBE COULD ANSWER THAT FIRST  
5       QUESTION IF IT'S OKAY.

6               MS. RICE:   PERHAPS YOU COULD REPEAT YOUR  
7       QUESTION FOR HIM.

8               MEMBER JONES:   YOU BET.   MORNING.

9               MR. O'RULLIAN:   HI.   I'M BILL O'RULLIAN  
10       FROM KERN COUNTY.

11              MEMBER JONES:   ON THE WEAVER INDUSTRY SITE  
12       THAT HAS BEEN ISSUED THE CEASE AND DESIST, IT SAYS  
13       THERE'S INACTIVITY OR THERE'S NO ACTIVITY GOING ON  
14       RIGHT NOW.   I WAS JUST WONDERING HOW THE BIG THE  
15       STOCKPILES OF MATERIAL ARE THERE.

16              MR. O'RULLIAN:   THERE IS LESS THAN 10,000  
17       CUBIC YARDS OF PROCESSED MATERIAL.   INITIALLY WE  
18       RECEIVED A COMPLAINT FROM NEIGHBORING PROPERTY  
19       OWNERS, AND ABOUT EIGHT MONTHS AGO THAT AREA HAD A  
20       LOT OF STOCKPILED, NONPROCESSED WASTE.   THE SITE  
21       WAS INACTIVE.   THERE WAS NO ONE AT THE SITE.   AND  
22       THERE WERE ALSO PEOPLE THAT, BECAUSE IT HAD BEEN  
23       PREVIOUSLY OPEN, THEY WERE STILL BRINGING GREEN  
24       WASTE LOADS AND MIXED LOADS TO THE GATE AND DUMPING



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25        THEM THERE.    SO THERE WAS ALSO THIS ATTRACTIVE



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1       NUISANCE THING.

2                       WE ISSUED A NOTICE OF VIOLATION,  
3       USING KERN COUNTY ORDINANCE CODES, AND THEY  
4       COMPLIED IN PROCESSING THE UNPROCESSED MATERIAL TO  
5       REDUCE THE RODENT HARBORAGE.  AT THIS POINT THE  
6       AMOUNT OF MATERIAL THAT'S THERE IS FAIRLY SMALL,  
7       AND WE WOULD HAVE TO MAKE A DECISION WHETHER IT'S  
8       WORTHWHILE GOING AFTER A SMALL PROCESSED PILE OF  
9       GREEN WASTE.  I THINK WE'D HAVE TO LOOK AT IT AGAIN  
10      AND SEE IF IT WAS CREATING A NUISANCE.

11                    ONE OF THE OTHER PROBLEMS ON THIS IS  
12      THAT THERE ARE THE CONSTRUCTION DEMOLITION  
13      CONTRACTORS IN KERN COUNTY THAT WILL TAKE IN  
14      WOODWASTE AND THEN STOCKPILE IT ON THEIR PROPERTY,  
15      OR THEY'LL TAKE IN A MIXED LOAD OF C&D AND SEPARATE  
16      IT ON SITE.  AND THIS IS A PROBLEM THAT WE'RE  
17      PRESENTLY GRAPPLING WITH BECAUSE OF THE HIGH LOADS  
18      OF WOODWASTE THAT ARE BEING STOCKPILED ON PROPERTY.  
19      AND IF IT COMES IN SOURCE SEPARATED, IT'S NOT  
20      REALLY A TRANSFER PROCESSING STATION.  IT'S JUST  
21      WOOD -- CLEAN WOOD THAT'S COMING IN.

22                    ON -- AS FAR AS CLEANUP, YOU KNOW,  
23      BONDING, I WOULD SUGGEST -- WE WOULD RECOMMEND  
24      SOMETHING THAT WE HAVE DONE WITH LOKERN FARMS,



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25 WHICH WILL BE ON YOUR AGENDA ON THE 17TH AS A  
19



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1 COMPOSTING SITE, AND THAT IS IF THE PROPERTY IS  
2 LARGE ENOUGH AND IT IS ZONED FOR AGRICULTURAL USE,  
3 THAT THE STOCKPILING ON THE PROPERTY DOES NOT  
4 EXCEED THE AGRONOMIC RATE IF THAT MATERIAL WAS  
5 GOING TO BE TILLED INTO THE SOIL ON SITE. AND THAT  
6 REDUCES THE BOND CONSIDERABLY FOR A CLEANUP. AND  
7 IF THE SITE IS OWNER OPERATED OR IS OWNED AND  
8 OPERATED BY THE SAME PERSON AND IT'S AGRICULTURAL  
9 LAND, THAT MIGHT BE A GOOD SOLUTION FOR BOTH  
10 PARTIES.

11 MEMBER RELIS: DO YOU HAVE THE CDFA FARM  
12 BUREAU ON BOARD TO HELP MAKE THAT CALCULATION?

13 MR. O'RULLIAN: WE ACTUALLY DID THAT. WE HAVE  
14 BLAKE STANDEN FROM THE UC DAVIS AG EXTENSION, WHO'S  
15 AN AGRONOMIST, SOIL SCIENTIST, AND WE RECOMMENDED  
16 TO OUR PLANNING DEPARTMENT THAT THEY USE BLAKE AS  
17 THE PERSON THAT WOULD SET THE LIMIT FOR THE AMOUNT  
18 OF MATERIAL THAT COULD BE STOCKPILED. AND BELIEVE  
19 ME, THE AMOUNT, WHEN YOU THINK OF TILTH ON SOIL,  
20 QUITE A LARGE QUANTITY OF MATERIAL CAN BE STOCK-  
21 PILED FOR A ONE-SHOT TILLING INTO THE SOIL. SO WE  
22 HAVE TO LOOK AT THAT TOO. YOU KNOW, THAT WE DON'T  
23 CREATE SORT OF A REQUIREMENT THAT ALLOWS EXCESSIVE  
24 STOCKPILING AND WE GET OTHER PROBLEMS, SUCH AS



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25 SPONTANEOUS COMBUSTION OR ODORS OR SOMETHING LIKE  
20



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1        THAT, DUST.

2                MEMBER JONES:    THANK YOU.

3                CHAIRMAN FRAZEE:    OKAY.    THANK YOU.    NOW  
4        CONTINUE WITH YOUR REPORT.

5                MS. RICE:    I GUESS AS A VERY FINAL NOTE ON  
6        THIS ASPECT OF MY REPORT, A NUMBER OF MEMBERS DID  
7        ASK RECENTLY FOR AN UPDATE REGARDING THE BTI  
8        COMPOST FACILITY IN SAN JOAQUIN COUNTY WHERE YOU  
9        WERE AWARE IF THERE WERE ISSUES WITH THE  
10        CONDITIONAL USE PERMIT AND THE BOUNDARIES AND OTHER  
11        ISSUES.

12                WE DID LEARN YESTERDAY FROM THE LEA  
13        THAT DUE TO THE ACTION OF SAN JOAQUIN COUNTY TO  
14        RESCIND THE CUP FOR THE LARGER PROPERTY OWNED BY  
15        MR. WEAVER, THE COMPOSTING FACILITY IS SCHEDULED  
16        FOR CLOSURE VERY SOON.    THE COMPANY IS, I GUESS,  
17        NEGOTIATING FOR AN EXTENSION ON THAT CLOSURE DATE  
18        SO THAT THEY CAN PROPERLY PROCESS THE MATERIAL ON  
19        SITE AND NOT, I PRESUME, BE IN A POSITION OF  
20        LEAVING A STOCKPILE.    SO WE'RE LOOKING AT SOMETIME  
21        OVER THE NEXT FEW MONTHS UNLESS THEIR CUP ISSUES  
22        ARE RESOLVED, I ASSUME.

23                MEMBER RELIS:    MR. CHAIR, I CERTAINLY  
FEEL



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24        THAT THIS REPORT IS SERVING ITS PURPOSE.  IT  
KEEPS,

25        I THINK, THE SCRUTINY OF THE BOARD ON THIS  
21



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1       SUBJECT. I THINK WE'RE SEEING PROGRESS. IT'S  
2       GREAT HAVING INTERACTION WITH THE LEA COMMUNITY  
3       LIKE WE JUST HAD, AND IT'S VERY GOOD.

4               MS. RICE: WE WILL SEEK TO INCLUDE THE  
5       AMOUNT OR TONNAGE INFORMATION AS YOU SUGGEST IN  
6       SUBSEQUENT REPORTS, SO YOU CAN GET A FEEL FOR THE  
7       AMOUNT OF MATERIAL THAT'S BEING STOCKPILED.

8               AND THEN LASTLY AND VERY BRIEFLY,  
9       SOME INFORMATION REGARDING REGULATORY PACKAGES THAT  
10      ARE ONGOING AT THIS TIME. AS YOU KNOW, WE'RE  
11      WORKING ON THE WASTE TIRE FACILITY PERMITTING AND  
12      TIER HAULER REGULATIONS AT THIS TIME AND HAVE DONE,  
13      I GUESS, TWO WORKSHOPS TO DATE, ONE IN SACRAMENTO  
14      AND ONE IN VISALIA. ONE IS GOING ON TODAY IN  
15      DIAMOND BAR AS WELL, AND WE'VE SCHEDULED AN  
16      ADDITIONAL WORKSHOP HERE IN SACRAMENTO ON THE 19TH  
17      OF DECEMBER IN RESPONSE TO CONCERNS THAT THE  
18      EARLIER SACRAMENTO WORKSHOP MAY NOT HAVE BEEN  
19      ADEQUATELY NOTICED, SO WE'VE SCHEDULED A  
SUBSEQUENT

20      WORKSHOP AND HAVE DONE EXTENSIVE MAILING ON  
THAT.

21               REGARDING THE RELATED MONOFILL  
22      REGULATIONS, WE ARE WORKING ON AN INITIAL DRAFT



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AND

23 HOPE TO BEGIN PUBLIC DISCUSSIONS WITH OUTSIDE  
24 PARTIES VERY SOON REGARDING A CONCEPTUAL DRAFT  
FOR  
25 THOSE REGULATIONS. THE HOPE WOULD BE THAT AT  
SOME



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1 POINT THESE PACKAGES COULD WORK IN TANDEM, THE  
2 PERMITTING, HAULER, AND MONOFILL REGULATIONS.  
3 SINCE THEY ALL CERTAINLY RELATE TO ONE ANOTHER,  
4 WE'D LIKE TO COMBINE THEM AT SOME POINT SHORTLY  
5 DOWN THE ROAD.

6 THE CONSTRUCTION, DEMOLITION, AND  
7 INERT MATERIAL REGULATIONS, AS YOU KNOW, WE'VE BEEN  
8 WORKING TO FORM A WORK GROUP OF EXTERNAL PARTIES TO  
9 BEGIN LOOKING AT THE REGULATIONS AFTER YOU ACTED ON  
10 THE AUTHORITY ITEM LAST MONTH. WE'RE HOPING TO  
11 PULL A WORK GROUP MEETING TOGETHER IN EARLY JANUARY  
12 ON THOSE REGULATIONS.

13 AS I MENTIONED, THE PERMANENT  
14 CHIPPING AND GRINDING REGULATIONS ARE AT THE OFFICE  
15 OF ADMINISTRATIVE LAW, AND WE HOPE FOR THEIR  
16 APPROVAL BY JANUARY 12TH WHEN THEIR 30 DAYS IS UP.

17 THE TRANSFER PROCESSING OPERATIONS  
18 AND FACILITIES REGULATIONS, WE HOPE TO NOTICE THE  
19 45-DAY PUBLIC COMMENT PERIOD PURSUANT TO YOUR  
20 APPROVAL LAST MONTH OR THE MONTH BEFORE ON JANUARY  
21 23D. SO THAT WOULD BEGIN THE COMMENT PERIOD, AND  
22 THEN WE WOULD BE BACK TO COMMITTEE FOR THE PUBLIC  
23 HEARING WHEN THAT 45 DAYS WAS UP.

24 AND THEN LASTLY ON THE ORGANICS



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25        RULEMAKING, WE'RE IN THE PROCESS OF FORMING A WORK  
23



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1       GROUP AND WOULD FOLLOW A SIMILAR PATH AS WITH THE  
2       C&D REGULATIONS IN TERMS OF HOLDING MEETINGS WITH  
3       INTERESTED PARTIES THROUGHOUT THE STATE EARLY IN  
4       1998.   AND THAT CONCLUDES MY REPORT.

5               CHAIRMAN FRAZEE:   ON THE TIRE MONOFILL  
6       REGULATIONS, IT'S OUR INTENT TO GO TO FULL  
7       REGULATIONS AND NOT DO AN INTERIM STEP OF EMERGENCY  
8       REGULATIONS ON THAT?

9               MS. RICE:   I BELIEVE THAT WAS OUR PLAN,  
10       YES, TO DO PERMANENT REGULATIONS.

11              CHAIRMAN FRAZEE:   OKAY.   QUESTIONS?   OKAY.

12                      NOW WE'RE READY TO MOVE TO THE  
13       AGENDA.   ITEM 2 IS A CONSENT CALENDAR ITEM ALTHOUGH  
14       I UNDERSTAND THAT THE LEA IS HERE AND WISHES TO  
15       SPEAK ON THIS ONE.   SO WE'LL GO AHEAD WITH THE  
16       REPORT ON THIS, AND THIS IS THE CONSIDERATION OF

A

17       REVISED SOLID WASTE FACILITY PERMIT FOR THE EEL  
18       RIVER RESOURCE RECOVERY AND TRANSFER STATION IN  
19       HUMBOLDT COUNTY.

20              MS. RICE:   I GATHER THE SUGGESTION WAS  
21       TO  
22       KEEP IT ON CONSENT.   THE LEA JUST WISHED TO MAKE

A



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22 COMMENT TO THE COMMITTEE. SO WE DID NOT HAVE A

23 STAFF PRESENTATION.

24 CHAIRMAN FRAZEE: OKAY. LET'S HEAR FROM

25 KEVIN METCALFE.



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1 MR. METCALFE: HELLO AND GOOD MORNING.

2 I'M KEVIN METCALFE, HUMBOLDT COUNTY DIVISION OF  
3 ENVIRONMENTAL HEALTH. I'VE BEEN WITH THE COUNTY  
4 FOR ABOUT 12 YEARS. I'M AN REHS. I'VE BEEN THE  
5 LEA SINCE MARCH 1995.

6 ABOUT THE TIME THAT I BECAME THE  
LEA,

7 EEL RIVER DISPOSAL AND RESOURCE RECOVERY  
OBTAINED A

8 PERMIT FOR A SMALL VOLUME TRANSFER STATION. IT  
WAS

9 A DROP BOX FOR SELF-HAUL, WHICH WAS ADDED TO AN  
10 EXISTING GARBAGE FRANCHISE COLLECTION BUSINESS  
AND  
11 RECYCLING CENTER.

12 OVER THOSE FEW YEARS TILL NOW,  
WE'VE

13 SEEN EEL RIVER DISPOSAL RESOURCE RECOVERY ADD A  
14 METAL SALVAGING YARD, A WASTE DIVERSION FOR  
15 COGENERATION. WE'VE SEEN THEM ADD GREEN WASTE  
AND

16 FOOD WASTE DIVERSION TO VERMICOMPOSTING. WE'VE  
17 ALSO SEEN THEM ADD OIL RECYCLING.

18 AND I'D JUST LIKE TO STRESS THAT



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THIS

19 FACILITY IS A CLASSIC EXAMPLE OF A FACILITY

THAT

20 MEETS THE CUSTOMERS' NEEDS AND WILL MEET THE

21 DIVERSION GOALS AND DISPOSAL NEEDS OF THE

COMMUNITY

22 IN HUMBOLDT COUNTY'S GEOGRAPHIC REGION IN AN

AREA

23 SUCH AS OURS. AND SO I'D LIKE TO SAY THAT FOR

OUR

24 MISSION, THE PERMITTING AGENCY AND THE BOARD,

IS TO

25 ESTABLISH A ROAD MAP FOR COMPLIANCE WITH STATE



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1 MINIMUM STANDARDS WHILE MINIMIZING PERMITTING  
2 REQUIREMENTS FOR FACILITIES SUCH AS THIS. AND  
3 THUS, WE'VE CRAFTED THIS PROPOSED PERMIT WE BROUGHT  
4 BEFORE YOUR BOARD, AND WE HOPE THAT YOU DECIDE TO  
5 CONCUR IN THE ISSUANCE OF A PERMIT.

6 I'M HERE FOR ANY QUESTIONS YOU MAY  
7 HAVE. THERE'S ALSO REPRESENTATIVES FOR EEL RIVER  
8 DISPOSAL HERE, AND THERE'S ALSO A REPRESENTATIVE  
9 FOR THE CITY OF FORTUNA, GERALD KINDSFATHER.

10 CHAIRMAN FRAZEE: QUESTIONS?

11           MEMBER JONES: I JUST HAD TWO THAT I HAD  
12       ASKED IN MY BRIEFING, AND I HADN'T GOTTEN AN ANSWER  
13       BACK. CONDITION 17 OF -- CONDITION 17 REFERS TO  
14       THE RSI. IS THAT THE PLAN TO BUILD THE NEW  
15       FACILITY, BECAUSE IT WASN'T CLEAR IN WHAT WE HAD?

16 MR. METCALFE: I HAVE A COPY OF THE  
17 PERMIT. LET ME LOOK AT 17. THE FIGURE IS THE  
18 LAYOUT OF THE PROPOSED FACILITY, WHICH INCLUDES A  
19 SMALL VOLUME -- OR A TRANSFER BUILDING FOR THE  
20 TRANSFER OF WASTE.

21                   MEMBER JONES:    SO I GUESS MY QUESTION IS  
22       DOES THE TONNAGE GO UP WHEN THAT CONDITION IS MET,  
23       OR DOES IT GO UP TODAY?

24 MR. METCALFE: THERE WILL BE AN INTERIM



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25        PERIOD BETWEEN WHEN THEY WILL GO TO BUILDING THE  
26



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1 BUILDING. THEY WON'T BE ABLE TO DO WHAT THEY WANT  
2 TO ACCOMPLISH WITH THE BUILDING, TRANSFER FROM  
3 ROUTE COLLECTION VEHICLES, UNTIL THE BUILDING IS  
4 BUILT. SO THE CURRENT LEVEL OF OPERATION WILL STAY  
5 THE SAME AT THE TIPPING RAMP.

6 MEMBER JONES: OKAY. THAT'S WHAT I WANTED  
7 TO KNOW IS THE TRANSFER VEHICLES.

8 AND THEN MY OTHER QUESTION WAS I  
9 THINK THERE WAS A -- I'M NOT SURE IT WAS ON A TIRE  
10 PERMIT. DO WE HAVE -- IT SAYS THEY CAN TAKE 500  
11 TIRES. THEY'RE GOING INTO TRAILERS?

12 MR. METCALFE: THEY HAVE A PLAN FOR  
13 MANAGING ON SITE, AND THEY HAVE A LIMIT OF 500.

14 MEMBER JONES: OUR CUTOFF ON MINOR TIRE  
15 FACILITY PERMITS ARE WHAT, 500?

16 MS. RICE: RIGHT. BUT I DON'T BELIEVE WE  
17 REQUIRE A TIRE PERMIT AT A LANDFILL THAT'S UNDER  
18 PERMIT TO MY RECOLLECTION. SOLID WASTE FACILITY.

19 MEMBER JONES: THERE WERE JUST QUESTIONS I  
20 ASKED IN MY BRIEFING THAT I DIDN'T GET ANSWERS TO.  
21 OKAY. I DON'T HAVE A PROBLEM WITH IT.

22 MEMBER RELIS: MR. CHAIR, I'LL MOVE  
23 RESOLUTION 97-544 ON EEL RIVER DISPOSAL.



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24                   MEMBER JONES:   I 'LL SECOND IT.

25                   CHAIRMAN FRAZEE:   WE HAVE A MOTION AND



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1 SECOND ON THE ADOPTION OF RESOLUTION 97-544. IF  
2 THE SECRETARY WILL CALL THE ROLL, PLEASE.

3 THE SECRETARY: BOARD MEMBER RELIS.

4 MEMBER RELIS: AYE.

5 THE SECRETARY: JONES.

6 MEMBER JONES: AYE.

7 THE SECRETARY: CHAIRMAN FRAZEE.

8 CHAIRMAN FRAZEE: AYE. MOTION IS CARRIED,  
9 AND THIS WILL, WITHOUT OBJECTION, GO ON THE CONSENT  
10 CALENDAR AT THE REGULAR BOARD MEETING. THANK YOU.

11 NOW, ITEM 3 IS CONSIDERATION OF A NEW  
12 SOLID WASTE FACILITY PERMIT FOR SHEEP CREEK  
13 TRANSFER STATION IN SAN BERNARDINO COUNTY.

14 MS. RICE: THANK YOU, MR. CHAIRMAN AND  
15 MEMBERS. TADESE GEBRE-HAWARIAT WITH THE PERMITTING  
16 AND ENFORCEMENT DIVISION STAFF WILL MAKE THE  
17 PRESENTATION ASSISTED BY PAT GALLAGHER. I WOULD  
18 SUGGEST, IF IT MEETS WITH THE COMMITTEE'S APPROVAL,  
19 THAT WE TAKE ITEMS 3, 4, AND 6 TOGETHER SINCE  
20 THEY'RE THE THREE SAN BERNARDINO COUNTY ITEMS --

21 CHAIRMAN FRAZEE: SURE.

22 MS. RICE: -- WHILE WE HAVE THE LEA  
23 PRESENT.



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24 MR. GEBRE-HAWARIAT: GOOD MORNING. THE  
25 PROPOSED PERMIT IS TO ALLOW THE OPERATION OF A NEW



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1       LARGE VOLUME TRANSFER STATION.   THE OWNER AND  
2       OPERATOR OF THE SHEEP CREEK TRANSFER STATION IS THE  
3       SAN BERNARDINO COUNTY WASTE SYSTEM DIVISION.   UNDER  
4       CONTRACT, THE DAY-TO-DAY OPERATION IS CARRIED OUT  
5       BY NORCAL SAN BERNARDINO, INC.

6                   AT THE TIME THIS ITEM WAS PREPARED,  
7       STAFF REVIEW OF THE PERMIT APPLICATION PACKAGE HAD  
8       NOT BEEN COMPLETED; AND, THUS, THE COMMITTEE ITEM  
9       DID NOT INCLUDE STAFF RECOMMENDATION ON THE  
10      PROPOSED PERMIT.

11                   NOW THE LEA AND BOARD STAFF HAVE  
12      DETERMINED THAT ALL THOSE REQUIRED FINDINGS HAVE  
13      BEEN MADE.   ON NOVEMBER 19, 1997, THE BOARD  
14      APPROVED THE INTEGRATED WASTE MANAGEMENT PLAN OR  
15      CIWMP FOR THE COUNTY OF SAN BERNARDINO; AND,  
16      THEREFORE, AS FAR AS THE CWIMP IS CONCERNED, THE  
17      COUNTY IS NOW IN THE COMMENT PERIOD.

18                   THE PROPOSED ESTABLISHMENT OF THE  
19      TRANSFER STATION IS CONSISTENT WITH THE CRITERIA  
20      CONTAINED IN THE PUBLIC RESOURCES CODE SECTION  
21      50001.   CEQA HAS BEEN COMPLIED WITH.   THE PROPOSED  
22      DESIGN FOR THE TRANSFER STATION AS DESCRIBED IN THE  
23      REPORT OF STATION INFORMATION DATED OCTOBER 1997  
24      WOULD ALLOW FOR A FACILITY OPERATION CONSISTENT



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25 WITH STATE MINIMUM STANDARDS.  
29



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1                   STAFF REVIEWED THE PROPOSED PERMIT  
2       AND SUPPORTING DOCUMENTATION AND FOUND THEM TO BE  
3       ACCEPTABLE FOR CONSIDERATION BY THE BOARD.

4                   IN CONCLUSION, STAFF RECOMMEND THAT  
5       THE BOARD ADOPT SOLID WASTE FACILITY PERMIT  
6       DECISION NO. 97-540, CONCURRING IN THE ISSUANCE OF  
7       SOLID WASTE FACILITY PERMIT NO. 36-AA-0382. THE  
8       LEA IS HERE TO ANSWER ANY QUESTIONS, AS IS MR.  
9       LARRY SWEETSER FOR THE OPERATOR. THIS CONCLUDES  
10      STAFF PRESENTATION.

11                  CHAIRMAN FRAZEE: ANYTHING ELSE TO ADD?

12                  MS. GALLAGHER: NO.

13                  MEMBER JONES: MR. CHAIRMAN, I'LL MOVE  
14      THAT WE ADOPT RESOLUTION 97-540.

15                  MEMBER RELIS: SECOND.

16                  CHAIRMAN FRAZEE: WE HAVE A MOTION AND  
17      SECOND ON THE ADOPTION OF RESOLUTION 97-540. IF  
18      THE SECRETARY WILL CALL THE ROLL ON THAT ONE,  
19      PLEASE.

20                  THE SECRETARY: BOARD MEMBER RELIS.

21                  MEMBER RELIS: AYE.

22                  THE SECRETARY: JONES.

23                  MEMBER JONES: AYE.

24                  THE SECRETARY: CHAIRMAN FRAZEE.



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25

CHAIRMAN FRAZEE: AYE. MOTION IS CARRIED.

30



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1 WITHOUT OBJECTION, WE'LL RECOMMEND THAT ONE FOR  
2 CONSENT.

3 AND THEN ITEM 4, THE CONSIDERATION OF  
4 A NEW SOLID WASTE FACILITY PERMIT FOR TRAILS END  
5 TRANSFER STATION IN SAN BERNARDINO COUNTY.

6 MR. GEBRE-HAWARIAT: THIS PROPOSED PERMIT  
7 IS ALSO TO ALLOW THE OPERATION OF A NEW LARGE  
8 VOLUME TRANSFER STATION. THE LEA AND BOARD STAFF  
9 HAVE DETERMINED THAT ALL THE REQUIRED FINDINGS HAVE  
10 BEEN MADE. STAFF REVIEWED THE PROPOSED PERMIT AND  
11 SUPPORTING DOCUMENTATION AND HAVE FOUND THEM TO BE  
12 ACCEPTABLE FOR CONSIDERATION BY THE BOARD.

13 AND IN CONCLUSION, STAFF RECOMMEND  
14 THAT THE BOARD ADOPT SOLID WASTE FACILITY PERMIT  
15 DECISION NO. 97-541, CONCURRING IN THE ISSUANCE OF  
16 SOLID WASTE FACILITY PERMIT NO. 36-AA-0377. THIS  
17 CONCLUDES STAFF PRESENTATION.

18 CHAIRMAN FRAZEE: THE LEA.

19 MR. SLOWIK: MATT SLOWIK, SAN BERNARDINO  
20 COUNTY LEA. NOTHING FURTHER TO ADD. I'D JUST LIKE  
21 TO HIGHLIGHT FOR YOUR UNDERSTANDING THAT THIS IS A  
22 PART OF THE IMPLEMENTATION FOR SAN BERNARDINO  
23 COUNTY TO CONSOLIDATE OUR LANDFILLS AND TO FURTHER  
24 PROVIDE OPPORTUNITIES FOR THE RURAL AREAS OF THE



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25 COUNTY TO DISPOSE OF WASTE AT THE TRANSFER STATION.

31



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1       ULTIMATELY IT WILL BE DISPOSED OF AT THE LANDFILLS.

2               CHAIRMAN FRAZEE:   OKAY.   THANK YOU.

3               MEMBER JONES:   MR. CHAIRMAN, I'LL MOVE ON  
4       RESOLUTION 97-541.

5               MEMBER RELIS:   SECOND.

6               CHAIRMAN FRAZEE:   WE HAVE A MOTION ON THE  
7       ADOPTION OF RESOLUTION 97-541.   SECRETARY WILL CALL  
8       THE ROLL ON THAT ONE.

9               THE SECRETARY:   BOARD MEMBER RELIS.

10              MEMBER RELIS:   AYE.

11              THE SECRETARY:   BOARD MEMBER JONES.

12              MEMBER JONES:   AYE.

13              THE SECRETARY:   CHAIRMAN FRAZEE.

14              CHAIRMAN FRAZEE:   AYE.   MOTION IS CARRIED;  
15       AND WITHOUT OBJECTION, WE'LL RECOMMEND TO THE  
16       CONSENT CALENDAR ON THAT ITEM.

17                       NOW WE'LL MOVE ON TO ITEM 6.   THIS IS  
18       THE CONSIDERATION OF A NEW SOLID WASTE FACILITY  
19       PERMIT FOR NEWBERRY SPRINGS TRANSFER STATION IN SAN  
20       BERNARDINO COUNTY.

21              MR. GEBRE-HAWARIAT:   THIS AS WELL IS A NEW  
22       LARGE VOLUME TRANSFER STATION OUT IN THE DESERT.  
23       THE LEA AND THE BOARD STAFF HAVE DETERMINED THAT  
24       ALL THE REQUIRED FINDINGS HAVE BEEN MADE.   STAFF



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25 HAVE REVIEWED THE PROPOSED PERMIT AND SUPPORTING  
32



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1 DOCUMENTATION AND HAVE FOUND THEM TO BE ACCEPTABLE  
2 FOR CONSIDERATION BY THE BOARD.

3 AND IN CONCLUSION, THE STAFF  
4 RECOMMEND THAT THE BOARD ADOPT SOLID WASTE FACILITY  
5 PERMIT DECISION NO. 97-543, CONCURRING WITH THE  
6 ISSUANCE OF SOLID WASTE FACILITY PERMIT NO.  
7 36-AA-0371. THIS CONCLUDES STAFF PRESENTATION.

8 CHAIRMAN FRAZEE: ANY STATEMENT ON THIS?

9 MR. SLOWIK: NOTHING FURTHER TO ADD.

10 MEMBER JONES: MR. CHAIRMAN, I'LL MAKE A  
11 MOTION THAT WE ADOPT RESOLUTION 97-543.

12 MEMBER RELIS: SECOND.

13 CHAIRMAN FRAZEE: WE HAVE A MOTION AND  
14 SECOND ON THE ADOPTION OF RESOLUTION 97-543. IF  
15 THE SECRETARY WILL CALL THE ROLL ON THAT ONE.

16 THE SECRETARY: BOARD MEMBER RELIS.

17 MEMBER RELIS: AYE.

18 THE SECRETARY: BOARD MEMBER JONES.

19 MEMBER JONES: AYE.

20 THE SECRETARY: CHAIRMAN FRAZEE.

21 CHAIRMAN FRAZEE: AYE. MOTION IS  
22 CARRIED. WITHOUT OBJECTION, WE'LL RECOMMEND TO THE  
23 CONSENT CALENDAR ON THIS ITEM.

24 MEMBER JONES: MR. CHAIRMAN, I WANT TO



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[illegible]



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1 THE AUDIENCE THAT THINK WE WERE JUST RUSHING  
2 THROUGH THOSE PERMITS, THIS HAS BEEN A THOUGHT-OUT  
3 CONSOLIDATION OF PUTTING TRANSFER STATIONS AND  
4 CLOSING LANDFILLS. AND I THINK ALL OF THE BOARD  
5 MEMBERS HAVE BEEN VERY AWARE OF THIS PROCESS, AND I  
6 DIDN'T WANT ANYBODY IN THE AUDIENCE THINKING WE'RE  
7 JUST SLAM DUNKING THESE THINGS. BUT IT TOOK A LOT  
8 OF WORK, AND WHAT YOU GAVE US WAS EASY TO VOTE ON.  
9 AND CONGRATULATIONS TO SAN BERNARDINO COUNTY.

10 MR. SLOWIK: THANK YOU. IN THIS CALENDAR  
11 YEAR I'VE PROCESSED APPROXIMATELY 11 REVISIONS OR  
12 MODIFICATIONS ALONE. WE HAVE SEVEN MEMBERS OF OUR  
13 LEA, OTHERS BEING JUST AS BUSY, FOR THIS CURRENT  
14 CALENDAR YEAR. SO QUITE A LOT OF WORK, AND WE'VE  
15 BEEN ABLE TO WORK WITH THE STATE STAFF AND GET  
16 THESE PERMITS ISSUED.

17 THE LANDFILLS CONSOLIDATED, SOME OF  
18 THEM CLOSED, AND THE OTHER TRANSFER STATIONS ARE ON  
19 THEIR WAY. THANK YOU.

20 CHAIRMAN FRAZEE: OKAY. THANK YOU.

21 NOW WE'RE READY TO MOVE BACK TO  
22 AGENDA ITEM 5. THIS IS THE CONSIDERATION OF A  
23 REVISED SOLID WASTE FACILITY PERMIT FOR THE  
24 OROVILLE TRANSFER STATION IN BUTTE COUNTY.



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25

MS. RICE: THANK YOU, MR. CHAIRMAN AND  
34



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1 MEMBERS. CHRISTINE MCCRACKEN WILL MAKE THE STAFF  
2 PRESENTATION WITH CHARLES BIRD WITH THE LOCAL  
3 ENFORCEMENT AGENCY ALSO PRESENT.

4 MS. MCCRACKEN: GOOD MORNING, CHAIRMAN  
5 FRAZEE AND COMMITTEE MEMBERS. THIS ITEM CONSIDERS  
6 A REVISED PERMIT FOR THE OROVILLE SOLID WASTE  
7 TRANSFER STATION IN BUTTE COUNTY. THE OWNER AND  
8 OPERATOR IS OROVILLE SOLID WASTE DISPOSAL  
9 INCORPORATED.

10 THE PROPOSED PERMIT IS FOR AN  
11 INCREASE IN TONNAGE FROM 120 TONS PER DAY TO 975  
12 TONS PER DAY, AND TO EXPAND THE HOURS OF OPERATIONS  
13 FROM 6 A.M. THROUGH 8 P.M. TO A 24-HOUR-PER-DAY  
14 OPERATION.

15 WHEN THIS ITEM WENT TO PRINT, THE  
16 FINDINGS WERE STILL TO BE DETERMINED. SINCE THEN  
17 ALL FINDINGS HAVE BEEN MADE. STAFF REVIEWED THE  
18 PROPOSED PERMIT AND SUPPORTING DOCUMENTATION AND  
19 FOUND THAT IT MEETS ALL THE REQUIREMENTS AND IS  
20 ACCEPTABLE FOR CONSIDERATION BY THE BOARD.

21 BOARD STAFF FOUND THE REVISED PERMIT  
22 CONFORMS WITH PRC SECTION 50000(A)(1) AND  
23 50000.5(A)(B). THE FACILITY IS IN COMPLIANCE WITH



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24 STATE MINIMUM STANDARDS, AND CEQA HAS ALSO BEEN  
25 COMPLIED WITH.



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1                   IN CONCLUSION, STAFF RECOMMENDS THE  
2       BOARD ADOPT SOLID WASTE FACILITY PERMIT DECISION  
3       NO. 97-542, CONCURRING IN THE ISSUANCE OF A REVISED  
4       SOLID WASTE FACILITY PERMIT NO. 04-AA-0008.  
5       CHARLIE BIRD, THE LEA FOR BUTTE COUNTY, AND LARRY  
6       SWEETSER, REPRESENTING THE OPERATOR, ARE PRESENT IF  
7       YOU HAVE ANY QUESTIONS. THIS CONCLUDES STAFF'S  
8       PRESENTATION.

9                   CHAIRMAN FRAZEE: MR. BIRD, DO YOU HAVE  
10      ANY COMMENTS?

11                  MR. BIRD: THE ONLY COMMENT I CAN MAKE IS  
12      AT THE PRESENT TIME -- THIS FACILITY WAS PERMITTED  
13      ABOUT THREE YEARS AGO, LITTLE OVER THREE YEARS AGO.  
14      AT THE PRESENT TIME IT'S VERY MUCH UNDERUTILIZED,  
15      AND WE FEEL THIS WILL BE A STRONG COMPONENT IN  
16      HELPING US MEET THE RECYCLING MANDATES IN 939. SO  
17      WE'RE VERY MUCH IN FAVOR OF THIS.

18                  MEMBER RELIS: MY ONLY OBSERVATION ON THIS  
19      IS THAT IT LOOKS LIKE YOU ARE ANTICIPATING A BIG  
20      GROWTH IN THE OROVILLE AREA. DO YOU KNOW SOMETHING  
21      THAT NO ONE ELSE KNOWS?

22                  MR. BIRD: I DON'T KNOW WHERE ALL THIS  
23      GARBAGE IS GOING TO COME FROM. I KNOW WHERE SOME  
24      OF IT IS GOING TO COME FROM. THIS COMPANY ALSO



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25       OWNS A HAULER COMPANY IN CHICO, AND I THINK THEY  
36



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1       PLAN TO START PROCESSING CHICO'S -- THE WASTE THAT  
2       THEY COLLECT IN CHICO, WHICH WILL BE A BIG HELP TO  
3       US TOO.

4               CHAIRMAN FRAZEE:   THE 24-HOUR OPERATION IS  
5       INTERESTING.   THAT APPARENTLY IS NOT A PROBLEM WITH  
6       THE CUP.

7               MR. BIRD:   NO.   CITY OF OROVILLE JUST  
8       WAVED IT ON THROUGH, SAID WE'RE NOT INTERESTED IN  
9       IT.   WE HAVE ROUTES TO BRING TRUCKS IN AT NIGHT  
10      THAT GO THROUGH A SOUTHERN PART OF INDUSTRIAL TOWN,  
11      SO WE'RE NOT GOING TO BE USING THE MAIN THOROUGH-  
12      FARES THROUGH TOWN.   SO IT SHOULD WORK OUT IF IT  
13      EVER COMES TO THE POINT WHERE THEY'RE ACTUALLY  
14      RUNNING IT 24 HOURS A DAY.

15              MEMBER JONES:   THIS FACILITY, MR.  
16      CHAIRMAN, IS IN AN INDUSTRIAL AREA NEXT TO A LUMBER  
17      MILL, LIKE NEXT TO OTHER THINGS THAT ARE -- THERE'S  
18      NO HOMES OR ANYTHING WITHIN A MILE, I DON'T THINK,  
19      MILE AND A HALF, BUT THIS HAS BEEN IN THE WORKS  
20      FOR, I KNOW, FOR --

21              MEMBER RELIS:   I REMEMBER VISITING THIS  
22      SITE WHEN WE HAD A BOARD MEETING IN OROVILLE MUST  
23      BE FIVE YEARS AT LEAST AGO.



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24                   MR. BIRD:   THEY BUILT A NEW FACILITY SINCE  
25       THEN.   THAT WAS THE OLD FACILITY.   YEAH, THE



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1 CLOSEST NEIGHBOR IS THE DOG POUND, WHICH IS ABOUT A  
2 MILE AWAY.

3 CHAIRMAN FRAZEE: OKAY. DO WE HAVE A  
4 RESOLUTION FOR THIS ONE?

5 MS. MCCrackEN: AT THE TIME THIS WAS  
6 WRITTEN, THE FINDINGS WEREN'T MADE, BUT FOR THE  
7 BOARD ITEM THERE IS A RESOLUTION 542.

8 MEMBER JONES: MR. CHAIRMAN, I WOULD LIKE  
9 TO MOVE CONCURRENCE WITH RESOLUTION NO. 97-542.

10 MEMBER RELIS: SECOND.

11 CHAIRMAN FRAZEE: WE HAVE A MOTION AND  
12 SECOND ON THE ADOPTION OF RESOLUTION 97-542. IF  
13 THE SECRETARY WILL CALL THE ROLL.

14 THE SECRETARY: BOARD MEMBER RELIS.

15 MEMBER RELIS: AYE.

16 THE SECRETARY: BOARD MEMBER JONES.

17 MEMBER JONES: AYE.

18 THE SECRETARY: CHAIRMAN FRAZEE.

19 CHAIRMAN FRAZEE: AYE. MOTION IS  
20 CARRIED. AND WITHOUT OBJECTION, WE'LL RECOMMEND  
21 CONSENT ON THAT.

22 AND NOW WE'RE READY TO GO TO AGENDA  
23 ITEM 8, THE CONSIDERATION OF A REVISED SOLID WASTE  
24 FACILITY PERMIT FOR THE ARVIN SANITARY LANDFILL IN



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25 KERN COUNTY.

38



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1                   MS. RICE:  THANK YOU, MR. CHAIRMAN AND  
2                   MEMBERS.  LLOYD DILLON WILL MAKE THE STAFF  
3                   PRESENTATION ASSISTED BY BILL O'RULLIAN WITH THE  
4                   LOCAL ENFORCEMENT AGENCY.

5                   MR. DILLON:  GOOD MORNING, CHAIRMAN FRAZEE AND  
6                   COMMITTEE MEMBERS.  I'M LLOYD DILLON WITH THE BOARD'S  
7                   PERMITTING AND INSPECTIONS BRANCH IN THE PERMITTING AND  
8                   ENFORCEMENT DIVISION.

9                   MEMBER JONES:  HOW'D THAT HAPPEN?

10                  MR. DILLON:  IT'S A PRESEASON TRADE.

11                  I, ALONG WITH BILL O'RULLIAN OF THE  
12                  KERN COUNTY LEA OFFICE, WILL BE DISCUSSING AGENDA  
13                  ITEM 8.  WE RECEIVED A REVISED SOLID WASTE FACILITY  
14                  PERMIT FOR THE ARVIN LANDFILL REQUESTING TO  
15                  INCREASE THE DAILY TONNAGE FROM 310 TONS PER DAY TO  
16                  800 PEAK TONS PER DAY, CHANGE THE HOURS OF  
17                  OPERATION, EXTEND THE EXPECTED CLOSURE DATE FROM  
18                  1993 TO 2008, ALLOW THE USE OF ALTERNATIVE DAILY  
19                  COVER AT THIS SITE, UPDATE AND NAME CHANGE FOR THE  
20                  OPERATOR, AND INCLUDE THE ADDITION TO THE FACILITY  
21                  OF A GATEHOUSE, GROUNDWATER AND GAS MONITORING  
22                  SYSTEMS, AND A LOADCHECKING PROGRAM, AND ALSO TO  
23                  INCLUDE THE IDENTIFICATION OF THE ENVIROTECH



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24 FACILITY CURRENTLY ON SITE BUT NOT OPERATING.

25 STAFF AND THE LEA HAVE MADE RECENT



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1 INSPECTIONS AT THE SITE, AND THE LEA HAS ISSUED A  
2 NOTICE AND ORDER TO THE FACILITY FOR GAS MIGRATION.  
3 AND I'LL LET BILL DISCUSS THAT. AT THIS TIME I'D  
4 LIKE TO TURN IT OVER TO BILL TO MAKE HIS PRESENTA-  
5 TION.

6 MR. O'RULLIAN: THANK YOU. THIS SITE IS  
7 SOMEWHAT COMPLICATED IN THAT WE DO HAVE A TRANSFER  
8 PROCESSING STATION THAT IS NOW DEFUNCT AT THE SITE,  
9 THE ENVIROTECH FACILITY. THE LEA ISSUED ORDERS  
10 LAST THANKSGIVING, A YEAR AGO THANKSGIVING, TO  
11 CEASE AND DESIST OPERATIONS, AND THAT WAS CLOSELY  
12 FOLLOWED THEN BY THE AIR BOARD AND THE WATER BOARD  
13 ALSO ISSUING EXTENSIVE ORDERS ON THAT COMPANY. AND  
14 IT HAS SINCE GONE -- IT HAS BECOME BANKRUPT, AND  
15 THE COUNTY IS PROCEEDING THROUGH LEGAL COUNSEL ON  
16 THE OUTCOME OF THAT PROBLEM.

17 SECOND PROBLEM HAS BEEN THE DISCOVERY  
18 OF OFF-SITE GAS MIGRATION ON ONE -- IN ONE AREA  
19 THAT ACTUALLY IS IMPACTING A HOME THAT IS LOCATED  
20 WITHIN A FEW HUNDRED YARDS OF THE LANDFILL. THE  
21 COUNTY IS PRESENTLY BUYING THAT PROPERTY AND  
22 ACQUIRING THAT AS A BUFFER ZONE. THERE IS PHASE II  
23 SITE ASSESSMENT BEING UNDERTAKEN AT THIS TIME.  
24 CH2MHILL AND GAS CONTROL INC. ARE THE TWO



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25       CONSULTANTS THAT ARE WORKING ON THAT PROJECT.   AND  
40



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1 THE COUNTY WILL BE OR THE WASTE MANAGEMENT  
2 DEPARTMENT WILL BE MEETING WITH THEM ON FRIDAY TO  
3 DISCUSS PRELIMINARY DESIGNS FOR THE GAS CONTROL  
4 SYSTEM. KERN COUNTY HAS PUT ASIDE MONIES TO  
5 CONSTRUCT THAT GAS CONTROL SYSTEM IN 1998.

6 WE COME TO YOU WITH THIS PERMIT  
7 PACKAGE ALSO WITH A NOTICE AND ORDER THAT ADDRESSES  
8 THE GAS PROBLEM. I'M SORRY THAT YOU MAY NOT HAVE  
9 THAT BEFORE YOU AT THIS TIME. WE HAVE -- IN  
10 ISSUING THE NOTICE AND ORDER, WE HAVE RECEIVED  
11 COMMENTS FROM THE STAFF OF THE BOARD, AND WE HAVE  
12 INCORPORATED THOSE NOW INTO OUR REVISED NOTICE AND  
13 ORDER. AND WE HAVE UNDERGONE A REORGANIZATION.  
14 OUR CHIEF IS NOW THE INTERIM DIRECTOR OF ANIMAL  
15 CONTROL, AND WE HAD DIFFICULTY FINDING HIM OUT AT  
16 THE DOG POUND TO SIGN THE NOTICE AND ORDER. SO WE  
17 WILL HAVE THAT RECTIFIED TODAY FOR YOU.

18 AND OUR -- I CONTACTED OUR DIRECTOR  
19 THIS MORNING, AND HE HAS SIGNED THE NOTICE AND  
20 ORDER, AND THAT IS BEING SENT FORTHWITH TO THE  
21 BOARD.

22 CHAIRMAN FRAZEE: MR. RELIS WANTS TO ASK  
23 QUESTIONS.



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24                   MEMBER RELIS:   WELL, I'VE BEEN LISTENING.

25       AND I THINK I'M PROBABLY, JUST FOR THE SAKE OF



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1       WANTING TO SEE WHAT THAT IS, GOING TO ABSTAIN ON  
2       THIS VOTE BECAUSE I DON'T FEEL WE HAVE THE  
3       INFORMATION BEFORE US ON THAT PARTICULAR ISSUE. I  
4       DON'T KNOW WHAT THE LEVELS ARE.

5               MS. RICE: MY UNDERSTANDING FROM STAFF  
6       THIS MORNING IS THAT WE JUST VERY RECENTLY RECEIVED  
7       THE ORDER TO REVIEW AND HAVE NOT COMPLETED OUR  
8       REVIEW OF THE ORDER. GOT IT LATE YESTERDAY. SO WE  
9       WERE GOING TO BE WITHHOLDING RECOMMENDATION TODAY  
10      AND HAVE THAT AT THE BOARD MEETING FOR YOU TO GIVE  
11      US AMPLE TIME TO REVIEW THE ORDER, GET YOU COPIES  
12      OF IT, AND MAKE SURE YOU'RE COMFORTABLE WITH THE  
13      CONTENTS OF THAT ORDER BECAUSE WE ALSO HAVE NOT HAD  
14      AN OPPORTUNITY TO REVIEW IT YET. IS THAT ACCURATE,  
15      LLOYD?

16             MR. DILLON: YES.

17             CHAIRMAN FRAZEE: IS THIS AN UNLINED  
18      FACILITY?

19             MR. O'RULLIAN: IT IS.

20             CHAIRMAN FRAZEE: IT'S CONTINUING AS AN  
21      UNLINED FACILITY?

22             MR. O'RULLIAN: IT IS. THE PRESENT  
23      OPERATION IS ON AN UNLINED AREA; AND SHOULD THERE  
24      BE EXPANSION, IT WILL BE, OF COURSE, LINED -- IT



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25 WILL BE CONSTRUCTED ON LINED AREA.



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1                   MEMBER RELIS:   ON THAT POINT, SO IF WE GO  
2   FROM 310 TO 800, THE ADDITIONAL VOLUME WOULD BE ON  
3   THE UNLINED VERTICAL EXPANSION?

4                   MR. O'RULLIAN:   ACTUALLY IT WILL BE ON THE  
5   UNLINED AREA.   THERE'S STILL SITE CAPACITY LEFT FOR  
6   THAT AREA.

7                   CHAIRMAN FRAZEE:   AND WHAT'S THE NATURE OF  
8   THE ADC GREEN WASTE?

9                   MR. O'RULLIAN:   THE -- PRESENTLY THE TYPE  
10   OF ADC BEING USED IS TARPING AND GREEN WASTE.  
11   MAINLY RELYING ON TARPS.

12                   MEMBER RELIS:   DO YOU HAVE A GAS PROBLEM  
13   THERE?   I MEAN IT'S UP TO YOU, BUT IS THAT  
14   ADVISABLE TO EXACERBATE --

15                   MR. O'RULLIAN:   AS FAR AS USING TARPS  
16   VERSUS SOIL?

17                   MEMBER RELIS:   THE GREEN WASTE PORTION  
18   THAT'S GOING TO GENERATE A FAIR AMOUNT OF GAS.

19                   MR. O'RULLIAN:   THE AMOUNT OF GREEN WASTE  
20   THAT IS BEING USED FOR ALTERNATIVE DAILY COVER IS  
21   REALLY MINIMAL.   IT'S ON A VERY INFREQUENT BASIS.

22                   ONE POINT ABOUT THE GAS THAT WE HAVE  
23   LEARNED IS THAT IT IS VERY HIGHLY DEPENDENT ON THE  
24   BAROMETRIC PRESSURE, AND THIS SUGGESTS THAT THE



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25        LEVEL OF GAS PRODUCTION AT THE SITE WOULD BE LESS  
43



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1       SIGNIFICANT -- IS LESS SIGNIFICANT THAN, SAY, A  
2       SITE THAT DOES NOT FLUCTUATE SO GREATLY WITH  
3       BAROMETRIC PRESSURE. IF THERE WAS A LOT OF GAS  
4       GENERATION GOING ON AT THE SITE, YOU WOULDN'T SEE  
5       IT REDUCE DOWN TO, SAY, ZERO IN THE EARLY MORNING  
6       AND THEN FLUCTUATE UP DURING MIDDAY AND THEN REDUCE  
7       AGAIN AT THE NIGHT -- AT NIGHTFALL.

8                       THIS IS WHAT IS BEING SUGGESTED TO US  
9       BY THE CONSULTANTS. BUT IT IS SIGNIFICANT IN THE  
10      VIEW OF THE LEA IN THAT IT IS GOING OFF SITE, AND  
11      THERE IS A RESIDENTIAL PROPERTY THAT'S AFFECTED,  
12      AND THE LEA IS MONITORING THAT HOME ON A WEEKLY  
13      BASIS. THERE HAVE BEEN MULTILEVEL PROBES THAT HAVE  
14      BEEN INSTALLED NEAR THE HOME AND AT THE BOUNDARY OF  
15      THE LANDFILL CLOSEST TO THE HOME, AND THOSE ARE  
16      BEING MONITORED FREQUENTLY. AND WE HAVE  
17      RECOMMENDED THAT FOR HEALTH AND SAFETY CONCERNS  
18      THAT THOSE PEOPLE BE MOVED OFF THAT SITE, AND THAT  
19      IS WHY THE COUNTY HAS PROCEEDED TO BUY THAT  
20      PROPERTY.

21                   MEMBER RELIS: SO IT WOULD BE A BUFFER?

22                   MR. O'RULLIAN: IT WOULD BE A BUFFER.

23                   MEMBER JONES: HOW FAR ARE THE NEXT --



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24       WHAT'S THE NEXT RESIDENCE, HOW FAR AWAY?

25               MR. O'RULLIAN:  THERE AREN'T ANY OTHER



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1 RESIDENCES THAT ARE WITHIN -- I WISH I COULD GIVE  
2 YOU AN EXACT NUMBER, BUT IT'S WELL OVER 500 YARDS  
3 BEFORE -- IT'S IN A RURAL AGRICULTURAL AREA. THE  
4 ONLY OTHER RECEPTOR THERE WOULD BE THE COMMUNITY  
5 RECYCLING FACILITY, WHICH IS LOCATED ACROSS THE  
6 HIGHWAY FROM THIS SITE, AND IT IS PRETTY MUCH  
7 WHAT --

8 OH, ONE OTHER THING OF INTEREST TO  
9 YOU WOULD BE THAT WHEN THESE BUFFER AREAS ARE  
10 PURCHASED, THERE'RE ACTUALLY TWO PROPERTIES  
11 INVOLVED, THE COUNTY INTENDS TO REOPEN CEQA ON  
12 THOSE PROPERTIES AND INCLUDE THEM IN THE CEQA  
13 DOCUMENT FOR THIS SITE RATHER THAN LEAVE THEM OUT  
14 THERE INDEPENDENTLY.

15 MEMBER JONES: JUST ANOTHER QUESTION.  
16 CH2MHILL AND GAS CONTROL ARE GOING TO PUT A PLAN  
17 TOGETHER FOR YOU AS TO HOW TO MITIGATE THIS ISSUE?

18 MR. O'RULLIAN: THAT'S CORRECT. AND THE  
19 COUNTY HAS CONDUCTED A PHASE I PRELIMINARY  
20 ASSESSMENT, AND NOW THEY ARE ON THE PHASE II  
21 ASSESSMENT, WHICH INVOLVES BORING AND SUBSURFACE  
22 INVESTIGATION. AND CH2MHILL AND GAS CONTROL ARE  
23 THE TWO CONSULTANTS THAT WILL BE PROVIDING THE  
24 DESIGNS FOR THE CONTROL SYSTEM.



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25

MEMBER JONES: I THINK I HEARD YOU SAY

45



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1 EARLIER THE DOLLARS HAVE ALL BEEN ALLOCATED FOR THE  
2 CONSTRUCTION OR FOR THE STUDY?

3 MR. O'RULLIAN: THIS IS FOR THE  
4 CONSTRUCTION. NANCY EWERT, WHO IS THE ENGINEER  
5 LEADING THIS PROJECT, ADVISED US THAT THEIR  
6 PROJECT -- THEY INTENDED TO COMPLETE THE PROJECT  
7 AND CONSTRUCT IT BEFORE THE END OF 1998.

8 CHAIRMAN FRAZEE: OKAY.

9 MEMBER RELIS: MR. CHAIR, IN LIGHT OF THE  
10 DISCUSSION AND STAFF RECOMMENDATION, WE DON'T HAVE  
11 A RESOLUTION, BUT I WOULD MOVE THAT WE FORWARD THIS  
12 TO THE BOARD WITHOUT RECOMMENDATION.

13 CHAIRMAN FRAZEE: OKAY. WE HAVE A MOTION  
14 AND SECOND TO FORWARD THIS ITEM, THE ARVIN SANITARY  
15 LANDFILL, KERN COUNTY, TO THE FULL BOARD WITHOUT  
16 RECOMMENDATION. SECRETARY WILL CALL THE ROLL ON  
17 THAT, PLEASE.

18 THE SECRETARY: BOARD MEMBER RELIS.

19 MEMBER RELIS: AYE.

20 THE SECRETARY: BOARD MEMBER JONES.

21 MEMBER JONES: AYE.

22 THE SECRETARY: CHAIRMAN FRAZEE.

23 CHAIRMAN FRAZEE: AYE. MOTION IS  
24 CARRIED. SO ORDERED.



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25

MEMBER JONES: YOU'LL GET US COPIES OF

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1        THAT AS QUICKLY AS POSSIBLE.    GREAT.

2                CHAIRMAN FRAZEE:    OKAY.    NOW WE ARE READY  
3        TO MOVE TO ITEM 9, THE CONSIDERATION OF A NEW  
4        STANDARDIZED COMPOST PERMIT FOR THE SUN-LAND GARDEN  
5        PRODUCTS COMPOST FACILITY IN MONTEREY COUNTY.

6                MS. RICE:    THANK YOU, MR. CHAIRMAN AND  
7        MEMBERS.    THIS ITEM WILL BE PRESENTED BY VIRGINIA  
8        ROSALES, ASSISTED, I THINK, BY STAN CHOW WITH THE  
9        LOCAL ENFORCEMENT AGENCY.    HI, STAN.

10                MS. ROSALES:    GOOD MORNING.    ITEM NO. 9 IS  
11        A NEW STANDARDIZED COMPOSTING PERMIT FOR THE  
12        SUN-LAND GARDEN PRODUCTS COMPOSTING FACILITY IN  
13        MONTEREY COUNTY.    THE OWNER IS THE MONTEREY  
14        REGIONAL WASTE MANAGEMENT DISTRICT.    THE OPERATOR  
15        IS SUN-LAND GARDEN PRODUCTS.

16                THE WASTE MANAGEMENT DISTRICT HAS A  
17        125-ACRE PARCEL THAT IT LEASES TO VARIOUS PARTIES.  
18        EIGHTEEN OF THE 125 ACRES ARE LEASED TO SUN-LAND  
19        FOR THE COMPOSTING OPERATION, WHICH IS COMPLETELY  
20        WITHIN AND SURROUNDED BY THE MONTEREY REGIONAL  
21        ENVIRONMENTAL PARK.    THE PARK IS A MULTIFACET  
22        FACILITY, WHICH INCLUDES, BUT IS NOT LIMITED TO A  
23        LANDFILL, A MRF, A WASTEWATER TREATMENT FACILITY,  
24        AND ANOTHER COMPOSTING FACILITY.



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25

SUN-LAND HAS BEEN OPERATING AT THE  
47



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1 SITE SINCE 1986. THE FEEDSTOCKS INCLUDE MUSHROOM  
2 SUBSTRATE, GREEN WASTE, AND AGRICULTURAL MATERIALS.  
3 THE FACILITY IS NOT OPEN TO THE PUBLIC. SUN-LAND  
4 RECEIVES THE GREEN WASTE FROM THE MRF AND OWNS AND  
5 OPERATES A FLEET OF TRANSFER VEHICLES WHICH IS USED  
6 TO TRANSPORT THE MUSHROOM SUBSTRATE AND THE  
7 AGRICULTURAL MATERIALS FROM THE SOURCE TO THE  
8 FACILITY.

9 THERE ARE SOME OUTSTANDING ISSUES

10 WITH THE PROPOSED PERMIT. THEY ARE AS FOLLOWS:

11 THE LEGAL DESCRIPTION OF THE FACILITY INCLUDED IN  
12 THE PROPOSED PERMIT IS FOR THE ENTIRE 125 ACRES  
13 INSTEAD OF JUST THE 18 ACRES THAT SUN-LAND LEASES  
14 AND UTILIZES FOR THE COMPOSTING OPERATION. THE  
15 PROPOSED PERMIT THAT WAS RECEIVED ON NOVEMBER 17TH  
16 AND IS INCLUDED IN YOUR AGENDA ITEM INDICATES THE DESIGN  
17 CAPACITY TO BE 26,000 CUBIC YARDS. HOWEVER, ON DECEMBER  
18 2D, STAFF RECEIVED AN AMENDMENT TO THE PROPOSED PERMIT THAT  
19 INCREASED THE DESIGN CAPACITY TO 74,259 CUBIC YARDS, WHICH  
20 IS NOT CONSISTENT WITH CEQA.

21 THE PROPOSED FACILITY CAPACITY WAS  
22 STIPULATED IN THE NEGATIVE DECLARATION AS BEING  
23 LIMITED DUE TO TOPOGRAPHY AND SITE CONSTRAINTS.



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24 STAFF AT THE OFFICE OF LOCAL ASSISTANCE ARE

25 CURRENTLY WORKING TO DETERMINE WHETHER THE



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1 CONFORMANCE FINDING IS ACCEPTABLE.

2 THERE IS AN INCONSISTENCY BETWEEN THE  
3 FACILITY DESCRIPTION IN THE NDFE AND THE SUPPLE-  
4 MENTAL REPORT OF COMPOSTING INFORMATION SITE  
5 CAPACITY CALCULATIONS. THE FACILITY WAS INSPECTED  
6 ON NOVEMBER 14TH BY BOARD STAFF IN CONJUNCTION WITH  
7 THE LEA. NO VIOLATIONS OF STATE MINIMUM STANDARDS  
8 WERE NOTED. HOWEVER, THE VIOLATION OF PUBLIC  
9 RESOURCES CODE WAS NOTED FOR THE FACILITY OPERATING  
10 WITHOUT A PERMIT. THE ISSUANCE OF THIS PERMIT  
11 WOULD CORRECT THAT VIOLATION.

12 STAFF IS CURRENTLY WORKING WITH THE  
13 LEA AND THE OPERATOR'S CONSULTANT TO RESOLVE THESE  
14 ISSUES. WE HAVE REQUESTED ANY NEW SUPPLEMENTAL  
15 AND/OR CLARIFYING INFORMATION BE SUBMITTED TO US BY  
16 THE CLOSE OF BUSINESS FRIDAY, DECEMBER 12TH IN  
17 ORDER TO ALLOW FOR REVIEW OF THE INFORMATION AND TO  
18 DETERMINE WHETHER THE PROPOSED PERMIT MEETS THE  
19 BOARD STANDARD. WITHOUT THE SUPPLEMENTAL  
20 INFORMATION, STAFF'S RECOMMENDATION TO THE BOARD  
21 WOULD BE TO OBJECT TO THE PERMIT. AS OF LATE  
22 YESTERDAY THERE WAS A PROPOSAL TO DOWNSCALE THE  
23 PROJECT TO BE CONSISTENT WITH CEQA.



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24 IN SUMMARY, THIS STILL LEAVES THE

25 ISSUES OF THE LEGAL DESCRIPTION OF THE FACILITY



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1 BOUNDARIES, THE CONFORMANCE FINDINGS, AND THEN WE  
2 WOULD NEED TO HAVE UPDATES TO THE RCSI AND ANOTHER  
3 REVISED PROPOSED PERMIT.

4 IN CONCLUSION, STAFF WANT TO MENTION  
5 THAT THE 30 DAYS THE BOARD HAS TO ACT ON THIS  
6 PROPOSED PERMIT ENDS THE DAY OF THE BOARD MEETING,  
7 DECEMBER 17TH. THE OPERATOR'S CONSULTANT, MATT  
8 COTTON, IS AVAILABLE TO ANSWER ANY QUESTIONS YOU  
9 MAY HAVE ON THE PROJECT.

10 CHAIRMAN FRAZEE: DOES THE CURRENT CEQA  
11 DOCUMENT ADDRESS THE 26,000 YARDS, OR IS IT SOME  
12 NUMBER HIGHER THAN THAT?

13 MS. ROSALES: MY UNDERSTANDING OF THE CEQA  
14 DOCUMENT IS THAT IT WOULD ADDRESS THE 26,000 CUBIC  
15 YARDS.

16 CHAIRMAN FRAZEE: DOESN'T ALLOW FOR  
17 ANYTHING ABOVE THAT.

18 MS. ROSALES: THAT'S MY UNDERSTANDING.

19 CHAIRMAN FRAZEE: LEA WISH TO MAKE ANY  
20 STATEMENT?

21 MR. CHOW: NOT AT THIS TIME.

22 CHAIRMAN FRAZEE: MATT COTTON,  
23 REPRESENTING SUN-LAND GARDEN PRODUCTS.

24 MR. COTTON: THANK YOU, CHAIRMAN FRAZEE,



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25 MEMBERS OF THE BOARD, STAFF. WE HAVE BEEN WORKING  
50



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1       ON THIS. AS YOU LOOK THROUGH VIRGINIA'S PACKET,  
2       THERE ARE A LOT OF INCONSISTENCIES WITH THIS PERMIT  
3       FOR A NUMBER OF REASONS. I JUST WANTED TO GO ON  
4       RECORD TO CLARIFY SOME OF THOSE AND EXPLAIN SOME OF  
5       THEM. IT DOESN'T LOOK VERY GOOD THE WAY THIS HAS  
6       BEEN PRESENTED.

7                       NOW, THIS IS A COMPANY THAT'S BEEN  
8       OPERATING, AS VIRGINIA STATED, SINCE 1986. THE  
9       ENVIRONMENTAL HEALTH DEPARTMENT BROUGHT THEM OUT  
10      THERE IN 1986 TO HELP THEM WITH THE MUSHROOM WASTE  
11      PROBLEM. THEY STARTED COMPOSTING THAT IN 1986, WAY  
12      BEFORE AB 939. SUBSEQUENT TO THAT, THEY'VE BEEN  
13      ADDING FEEDSTOCKS, INCLUDING GREEN WASTE, MONTEREY  
14      REGIONAL WASTE MANAGEMENT DISTRICT MRF AND  
15      OPERATING WITHOUT VIOLATION AND CERTAINLY IN  
16      CONFORMANCE WITH THE MINIMUM STANDARDS, BUT ALSO  
17      OPERATING AN EXCEPTIONAL COMPOSTING FACILITY UP  
18      UNTIL THIS POINT.

19                     PART OF THE DIFFICULTY WITH THIS  
20      FACILITY IS ITS UNIQUENESS VIS-A-VIS THE OWNER-  
21      OPERATOR. THE DISTRICT OWNS THE 500-ACRE LANDFILL  
22      THERE IN MARINA, AND SUN-LAND OPERATES THE FACILITY  
23      BY LEASING THE LAND. HOWEVER, SUN-LAND IS GETTING  
24      THE PERMIT. I COULD ONLY COME UP WITH ONE OTHER



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25       EXAMPLE OF THAT RELATIONSHIP IN PERMITTING IN  
51



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1 CALIFORNIA. THE STANISLAUS WASTE-TO-ENERGY  
2 FACILITY IS SIMILAR. SO THERE WERE SOME -- IT WAS  
3 A LAND USE PERMIT ISSUE. WE HAD TO EXTEND THE LAND  
4 USE PERMIT. NOW THE DISTRICT HAS GOTTEN THIS  
5 UMBRELLA PERMIT FOR THE 125 ACRES WITHIN THE  
6 LANDFILL FOR EXACTLY THIS TYPE OF OPERATION,  
7 RECYCLING AND COMPOSTING AND OTHER DIVERSION  
8 ACTIVITIES.

9 AT THIS POINT WE APPRECIATE THE  
10 QUESTIONS STAFF HAVE. WE WANT TO WORK WITH STAFF,  
11 AS WE'VE BEEN DOING, DILIGENTLY TO ANSWER THESE  
12 QUESTIONS, AND WE WOULD ASK THAT IT BE CONTINUED TO  
13 THE FULL BOARD MEETING. WE'RE SOMEWHAT CONFIDENT  
14 THAT WE CAN RESOLVE THESE ISSUES BY NEXT -- WELL,  
15 BY THE END OF BUSINESS FRIDAY. WE DON'T THINK THEY  
16 REALLY ARE SUBSTANTIVE ISSUES SO MUCH AS TRYING TO  
17 BRING IN A PERMIT THAT'S BEEN BEING DEVELOPED SINCE  
18 1994 INTO CONFORMANCE WITH A LOT OF DIFFERENT  
19 THINGS.

20 JUST ONE LAST CLARIFICATION, THE  
21 NUMBER IN CEQA IS ACTUALLY 32,400 TONS PER YEAR, SO  
22 THEY'RE SLIGHTLY LARGER. THEY CURRENTLY OPERATE AT  
23 ABOUT 50,000 CUBIC YARDS OR ABOUT 25,000 TONS PER



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24        YEAR.    SO THEY'RE OPERATING UNDER, APPARENTLY THEY  
25        HAVE BEEN, THAT'S THE MOST THEY'VE EVER DONE, AND



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1        THAT'S ABOUT WHERE THEY STAND, ALTHOUGH PERHAPS WE  
2        WANT TO INCREASE THE PERMIT CAPACITY LATER ON, AND  
3        WE'LL COME BACK AND AMEND CEQA TO DO THAT.  AGAIN,  
4        THE CEQA PROCESS WAS DONE FOR THIS ENTIRE BLANKET  
5        LAND USE PERMIT AND WAS NOT SPECIFIC TO THE  
6        COMPOSTING, WHICH IS WHERE THE DIFFICULTY ARISES.

7                MEMBER JONES:  MR. CHAIRMAN.

8                CHAIRMAN FRAZEE:  I WAS GOING TO SAY YOU  
9        ARE INDICATING THAT THE CURRENT CEQA DOCUMENT WOULD  
10       SUFFICE AS LONG AS THE PERMIT WOULD BE ADJUSTED  
11       DOWN TO THAT 32,000?

12               MR. COTTON:  CORRECT.

13               MEMBER JONES:  DID I HEAR THAT THE  
14       FACILITY WASN'T LISTED IN THE NONDISPOSAL FACILITY  
15       ELEMENT OR THAT IT WASN'T IN COM-  --

16               MS. ROSALES:  WHAT'S LISTED IN THE NDFE IS  
17       NOT CONSISTENT, THE DESCRIPTION IS NOT CONSISTENT  
18       WITH WHAT IS BEING PROPOSED.

19               MEMBER JONES:  OKAY.  BUT IT WAS LISTED.

20               MR. COTTON:  IT'S BEEN INCLUDED.  THERE'S  
21       BEEN A PRESENTATION TO THE INTEGRATED WASTE  
22       MANAGEMENT TASK FORCE, WHICH APPROVED THE FACILITY  
23       BACK IN '96.  IT WAS IN THE NDFE IN '94 AT 50,000  
24       TONS.  SO IT'S A FACILITY THAT PEOPLE KNOW ABOUT.



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25       IT'S NOT A SURPRISE TO ANYONE.   THEY'VE BEEN THERE.  
53



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1       AGAIN, IT'S SURROUNDED BY THIS LANDFILL.   THE  
2       IMPACTS ARE REALLY VERY MINIMAL, AND IT'S SOMETHING  
3       THAT'S BEEN IN THE COMMUNITY FOR SOME TIME, OVER 12  
4       YEARS NOW.

5               MEMBER JONES:   I'VE HEARD OF IT.   I  
6       UNDERSTOOD IT.   I JUST DIDN'T UNDERSTAND WHY IT  
7       DIDN'T COMPLY WITH THE NDFE.   I JUST DIDN'T WANT TO  
8       GO DOWN A ROAD THAT WE'VE ALREADY PLAYED IN A  
9       COUPLE OF TIMES.

10               MY OTHER QUESTION IS IF THESE ISSUES  
11       CAN'T BE RESOLVED BETWEEN NOW AND THE 12TH, AS THE  
12       OPERATOR, ARE YOU PREPARED TO WAIVE THE TIME LINES  
13       SO WE CAN GET TO YOU RATHER THAN HAVE A -- I MEAN  
14       RECOMMENDATION RIGHT NOW IS NOT TO CONCUR.   I DON'T  
15       THINK THAT'S WHAT YOU WANT TO HEAR.   IF THE 12TH  
16       DOESN'T GET IT DONE, DO YOU WANT TO WAIVE THAT SO  
17       WE DON'T GET INTO NEGOTIATING IN A BOARD MEETING?

18               MR. COTTON:   WE WOULD FAR AND AWAY PREFER  
19       TO GET EVERYTHING DONE BY FRIDAY, WHICH IS WHAT WE  
20       INTEND TO DO; BUT IF WE DO NOT, WE'RE MORE THAN  
21       HAPPY TO CONTINUE THIS TILL JANUARY, FEBRUARY.   AS  
22       I SAID, WE'VE BEEN WORKING ON IT FOR A YEAR AND A  
23       HALF.

24               MEMBER JONES:   I UNDERSTAND.   I JUST



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25 DIDN'T WANT TO GET INTO NEGOTIATION IN THE MIDDLE  
54



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1       OF A BOARD MEETING, WHICH HAS HAPPENED BEFORE.

2               MR. COTTON: WE HAVE NO INTEREST IN THAT.

3               CHAIRMAN FRAZEE: OKAY. MOTION TO  
4 CONTINUE THIS ITEM TO THE FULL BOARD WITHOUT  
5 RECOMMENDATION.

6               MEMBER JONES: I'LL SECOND THAT.  
7 SECRETARY WILL CALL THE ROLL ON THAT, PLEASE.

8               THE SECRETARY: BOARD MEMBER RELIS.

9               MEMBER RELIS: AYE.

10              THE SECRETARY: BOARD MEMBER JONES.

11              MEMBER JONES: AYE.

12              THE SECRETARY: CHAIRMAN FRAZEE.

13              CHAIRMAN FRAZEE: AYE. MOTION IS CARRIED.

14                      NOW, ITEM 10, THE CONSIDERATION OF A  
15 NEW SITE FOR SOLID WASTE DISPOSAL AND CODISPOSAL  
16 SITE CLEANUP PROGRAM.

17              MS. RICE: THANK YOU, MR. CHAIRMAN AND  
18 MEMBERS. MARGE ROUCH WILL PRESENT THIS ITEM AND I  
19 BELIEVE THE NEXT ITEM AS WELL.

20              MS. ROUCH: GOOD MORNING, CHAIRMAN FRAZEE  
21 AND COMMITTEE MEMBERS. THE 2136 CLEANUP PROGRAM IS  
22 BRINGING ITEM 10 FOR YOUR CONSIDERATION TO GIVE AN  
23 LEA GRANT TO DEL NORTE COUNTY FOR THE CLEANUP OF  
24 EIGHT ILLEGAL DISPOSAL SITES AND DEVELOPMENT OF AN



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25            INFORMATIONAL BROCHURE ON SOLID WASTE DISPOSAL FOR  
                 55



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1 MAILING TO COUNTY RESIDENTS. THE TOTAL COST WILL  
2 NOT EXCEED \$178,000. CLEANUP WILL BE PERFORMED BY  
3 THE CALIFORNIA CONSERVATION CORPS AND LOCAL  
4 COMMUNITY SERVICE GROUPS.

5 IF YOU HAVE ANY QUESTIONS, MR. KEVIN  
6 HENDRICKS OF DEL NORTE COUNTY LEA OFFICE IS IN THE  
7 AUDIENCE, AND I THINK HE WOULD LIKE TO SAY  
8 SOMETHING TO THE COMMITTEE. AND I HAVE ASKED HIM  
9 TO SHOW US THE LOCATION OF THE DISPOSAL SITE IN  
10 RELATION TO THE LANDFILL AND THE CITY, AS MR. JONES  
11 HAS REQUESTED.

12 CHAIRMAN FRAZEE: WHILE HE'S COMING  
13 FORWARD, SOMETHING I MISSED IN THE BRIEFING WAS  
14 YOUR STATEMENT THAT THE CLEANUP WILL BE ACCOM-  
15 PLISHED BY THE CONSERVATION CORPS, SO RATHER THAN  
16 ONE OF THE BOARD CONTRACTORS.

17 MS. ROUCH: THAT'S CORRECT. THIS IS A  
18 GRANT TO THE COUNTY. THEY WILL HANDLE THE WHOLE  
19 PROJECT THEMSELVES, BUT THEY WILL BE DEALING WITH  
20 THE CONSERVATION CORPS.

21 CHAIRMAN FRAZEE: OKAY. I MISSED THAT.

22 MEMBER JONES: QUESTION BEFORE THAT  
23 PRESENTATION THEN. WHO IS GOING TO -- WE HAD



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24 TALKED ABOUT COST RECOVERY FOR SOME OF THE PRIVATE  
25 PROPERTY OWNERS. WOULD THAT BE TAKEN ON BY US OR



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1 BY THE COUNTY IF WE'RE GRANTING -- IF WE'RE GIVING  
2 THE MONEY TO THE COUNTY?

3 MS. ROUCH: I BELIEVE BY US. I THINK  
4 KATHRYN CAN ANSWER THAT BETTER.

5 MS. TOBIAS: I DON'T KNOW.

6 CHAIRMAN FRAZEE: JUST IT SEEMS TO ME IF  
7 THIS IS A GRANT TO THE COUNTY, IT SHOULD BE THEIR  
8 RESPONSIBILITY. AS I HAVE OFTEN SAID, THEY HAVE  
9 EASIER METHODS OF GAINING COST RECOVERY THAN WE  
10 HAVE. IT MAY BE APPROPRIATE TO PURSUE THAT.

11 MS. TOBIAS: THERE MAY BE SOMETHING -- AND  
12 WE CAN CERTAINLY LOOK INTO IT BETWEEN NOW AND THE  
13 BOARD MEETING. IT MAY BE SOMETHING THAT WE WANT TO  
14 ASK THAT THE COUNTY ACTUALLY DO OR AGREE TO  
15 CONSIDER IN RECEIVING THE GRANT MONIES SINCE THIS  
16 IS KIND OF A STRAIGHT ACROSS --

17 MS. ROUCH: I DO WANT TO POINT OUT ONE  
18 THING THOUGH. THE BULK OF THE PROJECTS ARE GOING  
19 TO BE DONE ON COUNTY AND STATE LAND OR THE BULK OF  
20 THE MONEY IS GOING TO BE SPENT ON COUNTY AND STATE  
21 LANDS. SO THE REMAINDER IS ON PRIVATE LAND, BUT  
22 THAT HAS NOTHING TO DO WITH WHETHER WE DECIDE TO DO  
23 COST RECOVERY OR NOT. BUT I WOULD ASSUME WE WOULD



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24 NOT PURSUE COST RECOVERY AGAINST THE COUNTY OR THE  
25 STATE .



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1                   MEMBER JONES: I WAS LOOKING AT THE  
2 PRIVATE PROPERTY OWNERS PERSONALLY, I MEAN AS ONE  
3 MEMBER.

4                   CHAIRMAN FRAZEE: YES.

5                   MR. HENDRICK: MY NAME IS KEVIN HENDRICK.  
6 I'M THE DIRECTOR OF THE DEL NORTE SOLID WASTE  
7 MANAGEMENT AUTHORITY. WE'RE A REGIONAL AGENCY  
8 RESPONSIBLE FOR ALL SOLID WASTE AND RECYCLING IN  
9 DEL NORTE COUNTY, CALIFORNIA.

10                   ONE OF THE TASKS THAT HAVE BEEN  
11 ASSIGNED TO US IS CLEANING UP SOME OF THE ILLEGAL  
12 DUMPING SPOTS IN THE COUNTY. FIRST WANT TO THANK  
13 THE STAFF FOR THEIR HELP, THEIR ASSISTANCE, AND  
14 THEIR SUPPORT ON THIS PROJECT.

15                   I MUST EMPHASIZE THE IMPORTANCE OF  
16 THIS GRANT FOR US TO ACHIEVE OUR OBJECTIVES IN  
17 CREATING A CLEAN SLATE FOR THE COUNTY TO START  
18 CLEANING UP THESE ILLEGAL DUMPS THAT HAVE DEVELOPED  
19 OVER THE YEARS. OUR LOCAL LANDFILL WILL BE CLOSING  
20 IN THE NEXT THREE TO FOUR YEARS, SO WE HAVE AN  
21 OBJECTIVE TO CONSOLIDATE ALL OF THE WASTE INTO THE  
22 PROPER LOCATIONS BEFORE THAT LANDFILL CLOSES. AND  
23 IN THIS PROCESS, WE WILL BE EMPHASIZING THE  
24 BENEFICIAL RECOVERY OF MATERIALS SUCH AS THE METALS



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25        THAT ARE ON SOME OF THESE ILLEGAL DUMP SITES.  
58



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1                   IN ADDITION TO FUNDING THE CLEANUP  
2     EFFORT, WE'RE ALSO REQUESTING FUNDING TO PREPARE A  
3     COMPREHENSIVE GUIDE FOR THE CITIZENS, THE  
4     BUSINESSES, AND THE RESIDENTS TO IDENTIFY ALL THE  
5     ALTERNATIVES, ALL OF THE OPTIONS FOR WASTE DISPOSAL  
6     AND RECOVERY AND RECYCLING IN THE COUNTY.

7                   AS OUR FINAL STEP, WHICH IS NOT  
8     DIRECTLY RELATED TO THIS GRANT, BUT PROBABLY WILL  
9     BE THE MOST CHALLENGING, IS THE ONGOING ENFORCEMENT  
10    TO PREVENT THE ILLEGAL DUMPING. DEL NORTE COUNTY  
11    HAS 70 PERCENT OF ITS PROPERTY OWNED BY STATE AND  
12    FEDERAL AGENCIES, MOSTLY FOREST LANDS. THERE ARE A  
13    LOT OF REMOTE AREAS, AND IT HAS BEEN A CHALLENGE IN  
14    THE FIVE YEARS THAT I'VE BEEN IN THE COUNTY TO STOP  
15    ILLEGAL DUMPING. BUT THIS WILL BE A FOCUS OF OUR  
16    EFFORTS AS WE CLEAN UP THESE SITES.

17                  I'LL BE LOOKING FORWARD TO WORKING  
18    WITH THE INTEGRATED WASTE MANAGEMENT BOARD STAFF TO  
19    COME UP WITH IDEAS AND STRATEGIES TO HELP US  
20    ACCOMPLISH THIS. I WOULD ESPECIALLY APPRECIATE ANY  
21    THOUGHTS THE COMMITTEE HAD RELATIVE TO PREVENTING  
22    ILLEGAL DUMPING, AND I'LL BE HAPPY TO ANSWER ANY  
23    QUESTIONS THAT YOU MIGHT HAVE ON THIS



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PROJECT.

24 I WANTED TO NOTE WHEN MARGE  
MADE THE

25 INTRODUCTION, THE NUMBER SHE SAID WAS THE --  
WAS



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1 DIFFERENT THAN THE NUMBER I HAVE ON MY GRANT  
2 APPLICATION. I WAS WONDERING IF THERE WAS A  
3 CHANGE. I HAVE 186,837.

4 MS. ROUCH: WE ROUNDED IT UP TO MAKE LIFE  
5 EASIER. I SAID IT WAS A NOT TO EXCEED AMOUNT. IS  
6 THAT OKAY?

7 MR. HENDRICK: WE'LL DO OUR BEST TO KEEP  
8 IT BELOW THAT. WHEREVER WE CAN SAVE COSTS BY --  
9 FOR EXAMPLE, IN OUR PAST EXPERIENCE, WE'VE BEEN  
10 VERY SUCCESSFUL IN RECOVERING THE METALS WHICH CAN  
11 COME AT A VERY LOW COST COMPARED TO THE DISPOSAL OF  
12 THOSE MATERIALS. OUR EXPERIENCE WITH THE KLAMATH  
13 FLOOD CLEANUP HAS MADE US VERY EXPERIENCED IN  
14 CLEANING UP DISASTERS.

15 I DID -- MARGE SAID THAT YOU HAD A  
16 QUESTION ABOUT THE LOCATIONS. I DIDN'T ANTICIPATE  
17 BRINGING A HIGHER QUALITY MAP, BUT THE LOCAL  
18 NEWSPAPER PUBLISHES A MAP THAT -- I'M NOT SURE HOW  
19 USEFUL IT WILL BE -- BUT I CAN SHOW -- I GUESS I  
20 HAVE TO GET MY HAND UNDERNEATH HERE TO SHOW THESE  
21 SPOTS. THE CLEANUP LOCATIONS, THIS IS SITE NO. 3.  
22 SITE NO. 2 IS FISH AND GAME OWNED PROPERTY NEAR THE  
23 ELK CREEK BASIN. SOME OF THE OTHER PRIVATE



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24 PROPERTIES HERE, HERE, HERE, AND HERE. THE  
25 LANDFILL IS LOCATED HERE. THE OTHER TWO LOCATIONS



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1 ARE NOT ON THIS MAP. ONE IS 15 MILES TO THE NORTH,  
2 THE PACIFIC SHORES SUBDIVISION, WHICH IS A 1500  
3 PARCEL SUBDIVISION THAT NEVER HAS BEEN FULLY  
4 DEVELOPED BECAUSE OF HIGH WATER AND OTHER  
5 DEVELOPMENT ISSUES. SO THERE ARE VERY HANDY ROADS  
6 FOR PEOPLE TO GET BACK INTO THIS REMOTE AREA.

7 THE OTHER IS IN THE KLAMATH GLEN  
8 AREA, WHICH IS ABOUT 20 MILES SOUTH OF CRESCENT  
9 CITY NEAR THE KLAMATH RIVER. I'M NOT SURE WHAT THE  
10 QUESTION WAS RELATED TO.

11 MEMBER JONES: I JUST WANTED TO KNOW HOW  
12 CLOSE IT WAS TO THE LANDFILL BECAUSE A COUPLE OF  
13 THE PILES LOOKED VERY REMINISCENT OF SOMETHING I  
14 HAD SEEN UP THERE BEFORE. SOME OF THE PILES ON  
15 PRIVATE PROPERTY ARE PRETTY SMALL. AND SMALL IS A  
16 RELATIVE TERM, BUT I MEAN, YOU KNOW, I JUST -- IT'S  
17 IMPORTANT, I THINK, TO ME AND TO THIS BOARD THAT IF  
18 WE ARE GOING TO DO COST RECOVERY ON THE PRIVATE  
19 PROPERTY OWNERS, YOU KNOW, IF WE'RE GOING TO GO  
20 AFTER THOSE -- THE DOLLARS IT'S GOING TO TAKE TO  
21 CLEAN UP THOSE MESSSES.

22 MR. HENDRICK: I SHOULD POINT OUT THAT THE  
23 COUNTY HAS COMMITTED TO THAT PROCESS. THE COUNTY  
24 HEALTH DEPARTMENT HAS PROVIDED NOTICES TO ABATE THE



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25 PROPERTIES, AND WE'LL CONTINUE TO PROCESS THEM  
61



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1       THROUGH THE COUNTY ABATEMENT PROCESS SO THAT I  
2       WOULD ANTICIPATE THAT ONCE THE CLEANUP IS  
3       ACCOMPLISHED AS THE COUNTY PROCEEDS ON IT, THE  
4       COUNTY WILL PUT A LIEN ON THE PROPERTIES AS A COST  
5       RECOVERY MECHANISM THAT, AS YOU KNOW, DOESN'T PAY  
6       OFF UNTIL THE PROPERTY IS SOLD.  AND THAT MECHANISM  
7       CAN AND WILL BE PURSUED ON THE PRIVATE PROPERTIES.

8                       THE TWO PUBLIC PROPERTIES,  
9       ESSENTIALLY THE PACIFIC SHORES SUBDIVISION, THE  
10      GARBAGE IS ON THE COUNTY OWNED OR NEAR THE COUNTY  
11      OWNED RIGHTS-OF-WAY THROUGH THAT SUBDIVISION.  AND  
12      SIMILARLY IN THE KLAMATH AREA, IT'S A SIMILAR  
13      UNDEVELOPED COUNTY OWNED RIGHT-OF-WAY.  AND THE  
14      OTHER, THE FISH AND GAME PROPERTY ON ELK BASIN, IS  
15      CALIFORNIA DEPARTMENT OF FISH AND GAME.

16                    MEMBER JONES:  MR. CHAIRMAN, I DON'T KNOW  
17      IF IT -- WE TALK ABOUT COST RECOVERY HERE AND WE  
18      TALK ABOUT SENDING OUT A MESSAGE, AND YOU'RE GOING  
19      TO DO A PUBLIC EDUCATION PROGRAM TO LET PEOPLE IN  
20      DEL NORTE COUNTY KNOW ABOUT WAYS TO RECOVER  
21      MATERIAL OR, YOU KNOW, HOW TO RECYCLE THAT  
22      MATERIAL, WHERE TO BRING IT FOR PROPER DISPOSAL.  
23      I'M WONDERING IF A GOOD PART OF THE EDUCATION ISN'T



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24 THE IDEA THAT WE ARE GOING TO DEMAND COST RECOVERY  
25 ON THOSE PRIVATE PROPERTY OWNERS AND WHAT THE



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1       LENGTHS ARE THAT THE COUNTY IS GOING TO GO TO.

2                       I'D LIKE TO SUGGEST, AND I DON'T KNOW  
3       HOW -- I MEAN WE'VE DONE IT WITH OTHER JURISDIC-  
4       TIONS -- SOMETHING FROM DEL NORTE COUNTY, THE PLAN  
5       THAT YOU JUST TALKED ABOUT THAT'S BEEN APPROVED BY  
6       YOUR ENVIRONMENTAL HEALTH DEPARTMENT, IF THAT  
7       BECOME PART OF THE PACKAGE FOR THE BOARD THING SO  
8       WE CAN -- WE HAVE THEIR -- WE HAVE THE COUNTY SIGN  
9       OFF THAT THIS IS WHAT, IN FACT, THEY'RE GOING TO  
10      DO.   AND I THINK THAT IS GOING TO HELP YOU WHEN YOU  
11      GO BACK UP TO DEL NORTE COUNTY THAT, YOU KNOW, WE  
12      GOT THE MONEY, BUT WE HAVE TO DO COST RECOVERY AND  
13      HERE'S HOW IT IS.   AND MAYBE SOME PEOPLE THAT THINK  
14      THIS IS A FREE CLEANUP OF PROPERTY WILL UNDERSTAND  
15      THAT IT MAY COME AT A PRICE OF THEIR PROPERTY.

16                   MR. HENDRICK:   I'M VERY SENSITIVE TO THAT  
17      BECAUSE WE HAVE A SMALL BUDGET WITHIN THE SOLID  
18      WASTE AUTHORITY WHERE WE CLEAN UP SOME OF THE  
19      SMALLER DUMPS THAT WE FIND.   AND IT'S ALWAYS,  
20      ESPECIALLY FOR THE SMALLER ONES, A REAL TIGHT  
21      BALANCE TO DETERMINE WHETHER IT'S WORTH GOING  
22      THROUGH THE WHOLE PROCESS TO RECOVER THOSE COSTS

OR



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23       WHETHER WE JUST WANT TO GO IN AND GET IT CLEANED  
24       UP.   THERE IS, IN FACT, ONE SMALL PROPERTY THAT'S  
25       BEEN VIRTUALLY ABANDONED BY THE OWNER, IS NOW  
UNDER



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1 OWNERSHIP OF A NEW OWNER. IT'S ON THE WAY OUT TO  
2 THE LANDFILL. IT'S BAD PR TO HAVE THAT KIND OF  
3 THING HAPPENING, SO WE ARE GOING TO STEP IN AND  
4 CLEAN IT UP AT OUR COST.

5 THE INFORMATION BOOKLETS CLEARLY WILL  
6 INCLUDE INFORMATION ON THE FINES AND THE ENFORCE-  
7 MENT MECHANISMS AS WELL AND TO INFORM PEOPLE THAT  
8 THERE IS A PRICE FOR DOING IT THE WRONG WAY. AND  
9 STRATEGICALLY WE WILL BE WORKING WITH THE SHERIFF'S  
10 DEPARTMENT AND THE D.A.'S OFFICE TO ACHIEVE SOME  
11 PROSECUTION, SOME VERY VISIBLE PROSECUTIONS AS PART  
12 OF THIS PROCESS. WHEN THE LAND MASS IS SO SPARSELY  
13 POPULATED AS OURS, IT IS AN ONGOING CHALLENGE TO BE  
14 THERE IN THE PLACES THAT THEY ARE DOING IT. SO IT  
15 HAS TO BE A COMBINATION OF LETTING THE PROPERTY  
16 OWNERS KNOW THAT THEIR ACCUMULATION OF WASTE WILL  
17 EVENTUALLY COST THEM MONEY ONE WAY OR THE OTHER.

18 AND AT THE SAME TIME, JUST FROM A  
19 VERY PRACTICAL STANDPOINT, DOING EVERYTHING WE CAN  
20 AT OUR LANDFILL TO MAKE IT AFFORDABLE FOR PEOPLE TO  
21 COME, AND THAT'S THE MOST -- THE GREATEST CONCERN  
22 FOR US IS WHEN OUR LANDFILL CLOSES, WE WILL HAVE NO  
23 LOCAL LANDFILL. EVERYTHING WILL BE EXPORTED, AND



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24       OUR DISPOSAL RATES WILL LIKELY DOUBLE IN FOUR  
25       YEARS.   THAT'S -- LIKE I SAID, I DON'T HAVE ANY



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1 REAL GOOD ANSWERS ON HOW TO PREVENT THIS TYPE OF  
2 DUMPING, AND I HAVE STARTED TALKING TO YOUR STAFF  
3 ABOUT IT, AND HOPEFULLY WE CAN COME UP WITH SOME  
4 GOOD STRATEGIES TO ACCOMPLISH THAT.

5 CHAIRMAN FRAZEE: OKAY. THANK YOU. WE  
6 HAVE THE -- DO YOU HAVE ANYTHING ADDITIONAL?

7 MS. ROUCH: I WANTED TO ADD THAT I  
8 DIDN'T -- I ROUNDED UP THE COUNTY'S GRANT REQUEST  
9 TO MAKE THE NUMBERS EASIER TO KEEP TRACK OF BECAUSE  
10 WE ONLY PAY WHAT THEY INVOICE US FOR, FOR THE  
11 ACTUAL WORK DONE. AND THEIR COST IS AN ESTIMATE,  
12 SO I DIDN'T WANT YOU TO THINK I TOOK THEIR REQUEST  
13 LIGHTLY AND MADE A CHANGE.

14 MEMBER JONES: ACTUALLY, MARGE, I THINK  
15 WHAT YOU SAID WAS A 178,000 WHEN YOU FIRST MADE THE  
16 THING, SO I THINK THAT'S WHAT PEOPLE WERE -- SO I  
17 WAS GOING TO STRAIGHTEN IT OUT ANYWAY AT 187. SO I  
18 THINK IT WAS JUST, YOU KNOW, FLIPPING THE NUMBERS.  
19 NOT A BIG DEAL.

20 MEMBER RELIS: PREPARED TO MAKE A MOTION  
21 THAT WE ADOPT RESOLUTION 97-547. I'LL MOVE  
22 CONCURRENCE.

23 MEMBER JONES: I WILL SECOND. I'D LIKE TO  
24 ASK IF YOU WOULD INCLUDE IN YOUR MOTION THE FACT



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25        THAT WE INCLUDE THAT WORK PLAN AS PART OF THIS SO  
65



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1        THAT IT BECOMES PART OF THE RECORD, THAT THEY'RE  
2        GOING TO GO AFTER COST RECOVERY.

3                MS. RICE: DO YOU WANT THAT IN THE BOARD  
4        ITEM FOR NEXT WEEK? OR PASS IT OUT? I BELIEVE THE  
5        ITEMS GO TO PRINT AS WE SPEAK.

6                MEMBER JONES: AS AN ATTACHMENT OR  
7        SOMETHING?

8                MS. RICE: WE MAY NEED TO PASS IT OUT. I  
9        BELIEVE THE ITEMS GO TO PRINT AS WE SPEAK RIGHT  
10       NOW. I KNOW PATTI WAS WORKING ON IT BY NOON TODAY,  
11       I BELIEVE. IF WE CAN GET IT TO HER, WE WILL.

12               MEMBER JONES: IF IT GETS PASSED, I JUST  
13       THINK IT'S IMPORTANT THAT THAT MESSAGE GOES BACK TO  
14       DEL NORTE COUNTY, THAT THEY INCLUDE IT IN THEIR  
15       WORK PLAN ON RECOVERY.

16               MEMBER RELIS: MAKE THE WORK PLAN AS PART  
17       OF THE MOTION FOR COST RECOVERY.

18               CHAIRMAN FRAZEE: OKAY. WE HAVE A MOTION  
19       AND SECOND ON THE ADOPTION OF RESOLUTION 97-547 AS  
20       AMENDED. SECRETARY WILL CALL THE ROLL ON THAT,  
21       PLEASE.

22               THE SECRETARY: BOARD MEMBER  
RELIS.

23               MEMBER RELIS: AYE.



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24 THE SECRETARY: BOARD MEMBER  
JONES.

25 MEMBER JONES: AYE.



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1 THE SECRETARY: CHAIRMAN FRAZEE.

2 CHAIRMAN FRAZEE: AYE. MOTION IS  
3 CARRIED. IS THERE ANY PROBLEM WITH CONSENT ON THIS  
4 ONE?

5 MEMBER JONES: NOT FOR ME. I DON'T HAVE A  
6 PROBLEM JUST AS LONG AS WE GET IT AND THEY CAN SEND  
7 THE MESSAGE OUT.

8 CHAIRMAN FRAZEE: OKAY. WE'LL RECOMMEND  
9 CONSENT ON THIS ITEM.

10 NOW, AGENDA ITEM 11 IS THE  
11 CONSIDERATION OF A CONTRACT CONCEPT FOR THE SOLID  
12 WASTE DISPOSAL AND CODISPOSAL SITE CLEANUP PROGRAM.  
13 MARGE.

14 MS. ROUCH: THE CONTRACT WILL BE FOR A NOT  
15 TO EXCEED AMOUNT OF \$2,500,000. HOWEVER, ONLY  
16 \$695,822 WILL BE PLACED IN THE CONTRACT AT THIS  
17 TIME SHOULD THE BOARD APPROVE THIS CONCEPT. IF  
18 FUTURE MONIES ARE AVAILABLE TO BE PLACED IN THIS  
19 CONTRACT, STAFF WILL COME BACK TO THE BOARD FOR  
20 APPROVAL TO AUGMENT THE CONTRACT DOLLAR AMOUNT.

21 AT THIS TIME OUR GRANITE AND SUKUT  
22 CONSTRUCTION CONTRACTS HAVE LITTLE MONEY REMAINING,



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23       AND GUINN CONSTRUCTION COMPANY IS NEW TO THE  
24       PROGRAM, AND, THEREFORE, THAT IS WHY WE ARE  
25       REQUESTING BEING ABLE TO GO OUT TO BID FOR A NEW



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1 CONTRACTOR.

2 STAFF RECOMMENDS APPROVAL OF THIS  
3 CONTRACT CONCEPT, AND I'D BE HAPPY TO ANSWER ANY  
4 QUESTIONS.

5 CHAIRMAN FRAZEE: QUESTIONS?

6 MEMBER JONES: AS I UNDERSTOOD IT, THE  
7 CONTRACT THAT'S GOING TO GO OUT IS FOR \$2.5  
8 MILLION. WE KNOW IT'S FUNDED TO 6 WHATEVER, 695  
9 RIGHT NOW, SO WE WON'T BE AUGMENTING A CONTRACT.  
10 WE'LL BE ISSUING A CONTRACT FOR WHATEVER.

11 MS. ROUCH: WE'D BE AUGMENTING THAT  
12 695,000, BUT WE WOULD NOT EVER BE EXCEEDING THE  
13 2,500,000.

14 MEMBER JONES: I MEAN AS FAR AS THE  
15 CONTRACT BECAUSE WE CAN ONLY AUGMENT CONTRACTS BY  
16 30 PERCENT. SO I JUST WANT TO MAKE SURE THAT'S  
17 SPELLED OUT, THAT IT'S TWO AND A HALF MILLION.

18 MS. ROUCH: MAYBE THAT'S THE WRONG TERM.  
19 MAYBE WE'D JUST BE PLACING MORE MONEY INTO THE  
20 CONTRACT.

21 MEMBER JONES: WHATEVER WORKS FOR YOU.

22 CHAIRMAN FRAZEE: OKAY.

23 MEMBER JONES: I DON'T HAVE ANY QUESTIONS  
24 OR ANYTHING. I MAKE A -- I MOVE RESOLUTION 97-548,



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25        THAT WE PUT OUT A BID OR A PROPOSAL FOR \$2,500,000  
68



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1       IN CLEANUP.

2               MEMBER RELIS:   SECOND.

3               CHAIRMAN FRAZEE:   WE HAVE A MOTION AND

4       SECOND ON THE ADOPTION OF RESOLUTION 97-548.

5       SECRETARY WILL CALL THE ROLL ON THAT ONE, PLEASE.

6               THE SECRETARY:   BOARD MEMBER RELIS.

7               MEMBER RELIS:   AYE.

8               THE SECRETARY:   BOARD MEMBER JONES.

9               MEMBER JONES:   AYE.

10              THE SECRETARY:   CHAIRMAN FRAZEE.

11              CHAIRMAN FRAZEE:   AYE.   MOTION IS CARRIED.

12       WITHOUT OBJECTION, WE'LL RECOMMEND CONSENT ON THAT

13       ITEM.

14                      NOW, ITEM 12, IS THAT -- THAT'S

15       PULLED, ISN'T IT?

16                      ITEM 13 IS THE CONSIDERATION AND

17       REAPPROVAL OF A PORTION OF THE PROPOSED REGULATIONS

18       FOR ALTERNATIVE DAILY COVER.

19                      MS. RICE:   THANK YOU, MR. CHAIRMAN AND

20       MEMBERS.   SCOTT WALKER AND ELLIOT BLOCK WILL MAKE

21       THE PRESENTATION FOR THIS ITEM.

22                      MR. BLOCK:   GOOD MORNING, CHAIRMAN FRAZEE

23       AND COMMITTEE MEMBERS.   ELLIOT BLOCK FROM THE



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LEGAL

24 OFFICE, AND SCOTT WALKER IS ALSO HELPING TO  
PRESENT

25 THIS ITEM.



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1                   ON NOVEMBER 5TH, 1997, LAST MONTH,  
2       THE OFFICE OF ADMINISTRATIVE LAW APPROVED MOST OF  
3       THE ADC REGULATIONS, AND THOSE, IN FACT, HAVE NOW  
4       BEEN PRINTED IN BARCLAY'S. WE ACTUALLY JUST GOT  
5       THE OFFICIAL COPY YESTERDAY WITH THE EXCEPTION OF A  
6       COUPLE OF SUBSECTIONS SPECIFICALLY RELATING TO  
7       PREAPPROVED THICKNESSES AND SIMILAR PROVISIONS FOR  
8       CERTAIN MATERIAL TYPES TO BE USED AS ADC.

9                   IN REVIEWING OUR RULEMAKING FILE, THE  
10      OFFICE OF ADMINISTRATIVE LAW HAD SOME CONCERNS  
11      ABOUT HOW MUCH INFORMATION THE BOARD HAD SEPARATELY  
12      CULLED OUT OF ITS FILES REGARDING THOSE PARTICULAR  
13      MATERIALS. THE RULEMAKING FILE ITSELF IDENTIFIED  
14      THE DEMONSTRATION PROJECTS WHERE THESE MATERIALS  
15      HAD BEEN USED AND DOWN TO A POINT OF IDENTIFYING  
16      THE FACILITY FILES THEMSELVES. WE FELT COMFORTABLE  
17      THAT THIS PROVIDED INFORMATION FOR COMMENTERS AND  
18      THOSE REVIEWING THE FILES IF THEY HAD CONCERNS OR  
19      WANTED TO REVIEW THOSE MATERIALS, THE MATERIAL WAS  
20      READILY IDENTIFIABLE. HOWEVER, THE OFFICE OF  
21      ADMINISTRATIVE LAW, IN INTERPRETING THE  
22      ADMINISTRATIVE PROCEDURE ACT, HAS DETERMINED THAT  
23      IN ORDER TO MEET THE REQUIREMENTS OF MAKING THIS  
24      INFORMATION AVAILABLE DURING THE RULEMAKING



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25       PROCESS, WE SHOULD HAVE SEPARATELY COPIED OUT,  
70



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1 CULLED OUT FROM OUR FACILITY FILES COPIES OF THOSE  
2 MATERIALS SPECIFIC TO THE THICKNESSES.

3 AND SO WHAT WE DID WAS WE WITHDREW  
4 THOSE PARTICULAR SUBSECTIONS THAT WE'RE TALKING  
5 ABOUT, AND THEY'RE IDENTIFIED ON PAGE 2 OF THE  
6 AGENDA ITEM, WHICH IS PAGE 13-2 OF YOUR PACKET. WE  
7 HAVE SEPARATELY CULLED THOSE OUT AND RENOTICED  
8 THOSE PARTICULAR SUBSECTIONS FOR ANOTHER 15-DAY  
9 COMMENT PERIOD. THERE WERE NO CHANGES IN THE  
10 LANGUAGE TO THOSE SECTIONS OTHER THAN A COUPLE OF  
11 CLARIFYING CHANGES THAT OAL HAD NOTED DURING THEIR  
12 INITIAL REVIEW.

13 I WOULD ALSO LIKE TO MENTION, THERE  
14 WERE -- SOME OF THE PREAPPROVED THICKNESSES AND  
15 PROVISIONS WERE APPROVED IN THE INITIAL APPROVAL  
16 BECAUSE OF A SLIGHTLY DIFFERENT SITUATION FROM SOME  
17 OF THESE MATERIALS: TARP, BECAUSE THAT WASN'T  
18 ACTUALLY A THICKNESS INVOLVED WITH TARPS; SLUDGE  
19 AND COMPOST ADC WITH PREAPPROVED PROVISIONS WERE  
20 ALSO APPROVED BECAUSE THOSE RELATED ACTUALLY TO A  
21 STATUTORY LIMIT OF 25 PERCENT AS OPPOSED TO A  
22 THICKNESS THAT WE CAME UP WITH IN REGULATIONS; AND  
23 THEN THE GREEN WASTE ADC PREAPPROVAL THICKNESS WAS



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24        ALSO APPROVED.    THAT SIMPLY FELL INTO A DIFFERENT  
25        CATEGORY MOSTLY BECAUSE THERE HAD BEEN SO MUCH



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1 DISCUSSION AND INFORMATION REGARDING THAT TYPE OF  
2 ADC THAT THERE WAS, IN FACT, MORE INFORMATION IN  
3 THE RULEMAKING FILE FOR THOSE MATERIALS.

4 THE 15-DAY COMMENT PERIOD ENDED  
5 YESTERDAY, AND SCOTT WALKER CAN TALK ABOUT ANY  
6 COMMENTS WE DID RECEIVE.

7 MR. WALKER: WE RECEIVED ONE COMMENT  
8 LETTER AT THE CLOSE OF THE COMMENT PERIOD  
9 YESTERDAY. AND IT WAS -- COPIES ARE PROVIDED IN  
10 THE DESK AT THE FRONT. IT WAS FROM MR. MIKE  
11 HEERDINK, GENERAL MANAGER OF AMERICAN TIRE DISPOSAL  
12 INCORPORATED IN COLTON, CALIFORNIA. AND HE WAS  
13 COMMENTING SPECIFICALLY ON THE PROPOSED STANDARD  
14 FOR TIRE SHREDS AS ADC. AND HIS COMMENT AND MY  
15 DISCUSSIONS WITH HIM INDICATED THAT HE DIDN'T HAVE  
16 CONCERNS ABOUT THE STANDARD OR OBJECTIONS TO THE  
17 STANDARD.

18 HE WANTED TO JUST CONVEY HIS  
19 EXPERIENCES AS AN OPERATOR WITH SHREDDED TIRES AT A  
20 LANDFILL IN WHICH THEY DID SOME EXPERIMENTATION  
21 DURING THE LANDFILLING TO SEE WHETHER OR NOT IN THE  
22 FUTURE THEY MIGHT WANT TO USE THIS AS ADC. AND HIS  
23 CONCLUSIONS BASICALLY WERE THAT CERTAIN TYPES OF



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24       EQUIPMENT WERE MUCH BETTER, AND HE FELT THAT  
25       CERTAIN SIZE RANGE, YOU NEEDED SOME CHIPS, SOME  
          72



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1       CLEAN CHIPS OF SIZE RANGE IN AROUND 6-INCH, AND  
2       THAT WAS REALLY A GOOD ADC.  ALSO MIXING WITH SOIL  
3       HE FELT WAS GOOD AND HE PROVIDED SOME INFORMATION  
4       ON THEIR EXPERIENCE.

5                       THAT WAS THE ONLY COMMENT LETTER WE  
6       RECEIVED.  I WANTED TO ADD ALSO THAT I CALLED UP  
7       AND TALKED WITH MR. RICK BEST OF CALIFORNIANS  
8       AGAINST WASTE, WHO HAD BEEN INVOLVED EARLY STAGES  
9       WITH THE ADC REGS.  AND I EXPLAINED TO HIM THAT WE  
10      HAD A LOT OF THAT INFORMATION AVAILABLE FOR HIM OR  
11      ANYBODY ELSE TO REVIEW.  I ASKED HIM WHETHER HE HAD  
12      THE COMMENT -- THE NOTICE FOR THE 15-DAY.  HE SAID  
13      YES.  HE INDICATED HE WASN'T INTERESTED IN  
14      REVIEWING THAT ADDITIONAL INFORMATION, AND THE  
15      IMPRESSION I GOT WAS THAT HE WASN'T -- HE DIDN'T  
16      FEEL THERE WAS NEW CONCERNS THAT HE NEEDED TO  
17      EXPRESS AT THAT TIME.  AND I HAVEN'T RECEIVED  
18      ANYTHING FROM HIM.  HIS MAIN CONCERN WAS WITH THE  
19      GREEN WASTE ADC STANDARD.  AND AS ELLIOT MENTIONED,  
20      THAT HAS -- THAT WAS APPROVED BY OAL AND IS  
21      EFFECTIVE NOW.

22                      IN CONCLUSION, STAFF RECOMMEND  
23      APPROVAL OF RESOLUTION 97-550, REAPPROVING PORTIONS



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24 OF THE PROPOSED ADC REGULATIONS AND FORWARDING THE  
25 PROPOSED REGULATIONS AND RESOLUTION TO THE FULL



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1 BOARD FOR THEIR CONSIDERATION AND READOPTION AT THE  
2 DECEMBER 19TH BOARD MEETING. THAT CONCLUDES STAFF  
3 PRESENTATION. IF YOU HAVE ANY QUESTIONS, WE'D BE  
4 HAPPY TO ANSWER THEM.

5 CHAIRMAN FRAZEE: IN THE CASE OF SHREDDED  
6 TIRES, DO THESE REGULATIONS SPECIFY A SIZE OR A  
7 THICKNESS?

8 MR. WALKER: THE PROPOSED REGULATIONS  
9 SPECIFY A SIZE RANGE AT WHICH DEMONSTRATION  
10 PROJECTS WOULD NOT BE REQUIRED. THE SIZE RANGE  
11 WOULD BE 50 PERCENT LESS THAN 6-INCH AND A HUNDRED  
12 PERCENT LESS THAN 12-INCH SHRED SIZE. THAT IS THE  
13 PROPOSED PREAPPROVED SPECIFICATION, AND IT IS BASED  
14 PRIMARILY ON THE CHICAGO GRADE LANDFILL DEMONSTRATION  
15 PROJECT.

16 THE PROPOSED STANDARD WOULD NOT  
17 PRECLUDE THE EVALUATION OF OTHER SHRED SIZE  
18 SPECIFICATIONS, BUT ANYTHING OTHER THAN THE  
19 STANDARD WOULD BE SUBJECT TO A SITE-SPECIFIC  
20 DEMONSTRATION PROJECT.

21 CHAIRMAN FRAZEE: IS THE USE OF SHREDDED  
22 TIRES ONLY IN DEMONSTRATION PROJECTS?

23 MR. WALKER: WITH THE PROPOSED -- RIGHT  
24 NOW THAT'S THE CASE. WITH THIS PROPOSED



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25 REAPPROVAL, THEN WE WOULD HAVE A CATEGORY OF  
74



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1 SHREDDED TIRE ADC THAT WOULD NO LONGER REQUIRE A  
2 SITE-SPECIFIC DEMONSTRATION PROJECT.

3 CHAIRMAN FRAZEE: WHEN I VISITED CHICAGO  
4 GRADE RECENTLY, I THINK IT WAS STILL SOMEWHAT  
5 DEBATABLE AS TO WHICH SIZE WAS APPROPRIATE. AND  
6 THEY ARE TRYING BOTH VERY SMALL SHRED AND THEN THE  
7 6-INCH ALSO. AND I DON'T THINK THERE WAS ANY  
8 CONCLUSION ON WHICH WAS BEST.

9 MR. WALKER: THEY ARE CONTINUING THE  
10 DEMONSTRATION PROJECT, AND THEY ARE GOING TO BE  
11 TESTING SOME ALTERNATIVE -- MY UNDERSTANDING RIGHT  
12 NOW TESTING SOME ALTERNATIVE SIZE RANGES. BASED ON  
13 THE INFORMATION WE HAD AT THE TIME AND WE DISCUSSED  
14 WITH THE CHICAGO GRADE LANDFILL, THAT THAT SPEC  
15 THAT WE HAD WAS WORKING REALLY WELL, AND OUR  
16 REPORTS FROM THE LEA WERE CONFIRMING THAT.

17 CHAIRMAN FRAZEE: OKAY. WE HAVE MARK  
18 MADDEN REPRESENTING ESRI, WHO WISHES TO SPEAK ON  
19 THIS ITEM.

20 MR. MADDEN: MORNING, GENTLEMEN. I AM  
21 MARK MADDEN, REPRESENTING THE CHAIRMAN OF THE  
22 LEGISLATIVE COMMITTEE FOR ESRI, AND WE REPRESENT  
23 EIGHT CAR SHREDDERS WHO PROBABLY COMBINE TO RECYCLE



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24 ABOUT TWO MILLION CARS EACH YEAR.

25 AS YOU PROBABLY RECALL, AB 1760  
75



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1        ENACTED IN 1991 PROVIDES THAT THIS BOARD SHALL  
2        EVALUATE ASR FOR USE AS COVER AND TO EVALUATE ASR  
3        AS COVER.    AND I MUST SAY OVER THE LAST NUMBER OF  
4        YEARS THAT YOUR STAFF HAS WITH ASSIDUOUSNESS,  
5        METICULOUSNESS, CARE, EFFORT, TREMENDOUS RESOURCES  
6        DONE EXACTLY THAT.    AND SO I GUESS WHAT I'M HERE TO  
7        SAY IS I'M HAPPY TO BE HERE ACTUALLY TO SAY PLEASE  
8        SUPPORT YOUR STAFF'S RECOMMENDATION.

9                CHAIRMAN FRAZEE:    OKAY.    THANK YOU.    AND  
10        LARRY BURCH REPRESENTING WEST CONTRA COSTA COUNTY  
11        SANITARY LANDFILL.

12                MR. BURCH:    THANK YOU, MR. CHAIRMAN,  
13        MEMBERS OF THE BOARD.    WE'RE HERE REQUESTING THAT  
14        YOU SUPPORT THE BOARD STAFF RECOMMENDATION  
15        REGARDING THE ADC AND SPECIFICALLY THE TREATED AUTO  
16        SHREDDER WASTE.    I SHOW A PICTURE HERE OF OUR  
17        LANDFILL.    WE'RE A LITTLE UNIQUE IN CALIFORNIA IN  
18        THAT WE HAVE A LOT OF WATER SURROUNDING US, THE  
19        LITTLE PENINSULA LANDFILL, AND ALL SOIL THAT WE USE  
20        FOR COVERING THE GARBAGE HAS TO BE BROUGHT ON THE  
21        SITE.    AND SO WE'RE QUITE INTERESTED IN LOOKING AT  
22        ALTERNATIVES TO THAT COVER PROGRAM.

23                AND WE HAVE BEEN WORKING WITH THE  
24        SNITZER STEEL PRODUCTS COMPANY WITH THE MATERIAL



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25            THAT THEY HAVE AVAILABLE TO BE A CANDIDATE

76



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1       ALTERNATIVE DAILY COVER FOR OUR PROJECT. I JUST  
2       WANTED TO GO ON THE RECORD INDICATING THAT FOR 19  
3       YEARS WE USED THE AUTO SHREDDER WASTE BEFORE IT WAS  
4       TREATED. AND UP TO 1988 WE WERE USING THAT  
5       MATERIAL VERY SUCCESSFULLY, AND THEN SOMEBODY  
6       DISCOVERED THAT THE SOLID WASTE REGULATIONS ONLY  
7       ALLOWED SOIL TO BE USED AS COVERING FOR LANDFILLS  
8       DAILY COVER. AND THAT WAS WHEN THE ALTERNATIVE  
9       DAILY COVER IDEA WAS BORN.

10                   ACTUALLY IN 1989 THE SOLID WASTE  
11       MANAGEMENT BOARD ADOPTED RESOLUTION 89-19  
12       SPECIFICALLY FOR OUR SITE TO USE TREATED AUTO  
13       SHREDDER WASTE. IT WAS ABOUT THAT TIME THAT DTSC  
14       WAS CONCERNED ABOUT THE LEAD MATERIALS THAT WERE IN  
15       THE AUTO SHREDDER WASTE, AND THE SNITZER COMPANY,  
16       WORKING WITH OTHER COMPANIES, DEVELOPED THE  
17       TREATMENT PROCESS THAT WOULD INERT THE LEAD. AND  
18       AT THAT POINT WE GOT INTO SOME COMPLICATIONS ON  
19       FOLLOWING THROUGH WITH THE ALTERNATIVE DAILY COVER  
20       PROGRAM FOR THE AUTO WASTES AT OUR SITE, BUT THE  
21       ALTAMONT SITE STARTED TO USE THAT MATERIAL. AND  
22       THAT'S WHERE THE DEMONSTRATION PROJECT OCCURRED,  
23       ALSO ONE OVER AT OX MOUNTAIN.



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24 WE WANT TO GO ON RECORD AS THAT EVEN  
25 THOUGH WE RECEIVED THE AUTO WASTE FOR A 19-YEAR



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1 PERIOD, WE STILL HAVE YET TO FIND MERCURY AND LEAD  
2 AND PCB'S IN THE LANDFILL LEACHATE, THE LANDFILL  
3 RUNOFF, IN THE GROUNDWATER, SO WE THINK THAT THE  
4 USE OF THIS MATERIAL IN THE LANDFILL IS VERY SAFE.

5 WE ARE READY TO START OUR NEW ADC  
6 PROGRAM WITH CONTRA COSTA COUNTY LEA ABOUT A MONTH  
7 AGO, AND THEY NOTIFIED THAT WE NEEDED TO PROVIDE A  
8 CHECK FOR \$10,000 TO HAVE THEM COME IN AND MONITOR  
9 OUR DEMONSTRATION PROJECT. YOU CAN SEE WE'RE QUITE  
10 INTERESTED IN SEEING THESE REGULATIONS GO INTO  
11 EFFECT HERE AND HAVE THIS AS A PREAPPROVED  
12 MATERIAL. SO WE'RE HERE TO URGE YOU TO ACCEPT THE  
13 BOARD STAFF'S RECOMMENDATION AND ENACT THESE INTO  
14 REGULATIONS. THANK YOU.

15 MEMBER JONES: JUST ONE QUESTION FOR  
16 LARRY. HOW MANY YEARS OF DATA DO YOU HAVE THAT YOU  
17 HAVEN'T SEEN ANY MERCURY OR ANY OF THOSE THINGS IN  
18 THE WATER? BECAUSE THE AUTO SHREDDER IS AN ISSUE  
19 WITH THE RSU. AND I THINK WE NEED TO START  
20 ACCUMULATING THAT. AND THEN IF YOU HAVE ANYBODY  
21 LIVING ON THE LANDFILL, WE NEED TO KNOW THAT TOO SO  
22 WE CAN FIGURE OUT THE PATHWAYS.

23 MR. BURCH: WE HAVE NOBODY ACTUALLY LIVING



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24        ON THE LANDFILL, BUT WE HAVE PEOPLE THAT HAVE  
25        RETIRED AFTER WORKING ON THE LANDFILL FOR 35 YEARS.



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1       THEY'VE BEEN THERE FAIRLY CONSISTENTLY.  OUR  
2       MONITORING RECORDS, THE REGIONAL BOARD ADOPTED  
3       WASTE DISCHARGE REQUIREMENTS ON US FIRST IN 1973  
4       FOR GROUNDWATER MONITORING.  FOR THE LAST 12 YEARS  
5       WE HAVE MONITORED A POND THAT'S ON THE SOUTH SIDE  
6       OF THE LANDFILL FOR ALL KINDS OF CONTAMINANTS AND  
7       HAVE FOUND NOTHING.  SO THAT'S THE SURFACE WATER  
8       RUNOFF, ALL THE WINTER RUNOFF HAS GONE THERE.  AND  
9       THE LEACHATE, WE DISCHARGE THAT TO THE WASTEWATER  
10      DISTRICT NEXT DOOR.  THAT IS MONITORED QUARTERLY,  
11      AND WE HAVE NOT HAD ANY FISH -- NONE OF THE  
12      BIOASSAYS HAVE FAILED, NO LEAD, NO MERCURY, NO  
13      PCB'S.  IT'S A VERY INNOCUOUS MATERIAL.

14               MEMBER JONES:  THANK YOU, LARRY.  
15      APPRECIATE IT.

16               CHAIRMAN FRAZEE:  NOW EVAN EDGAR.

17               MR. EDGAR:  CHAIRMAN AND BOARD MEMBERS, MY  
18      NAME IS EVAN EDGAR OF EDGAR ASSOCIATES ON BEHALF OF  
19      THE CRRC LANDFILL OPERATORS, REPRESENTING THE  
20      PRIVATE INDEPENDENT LANDFILL OPERATORS STATEWIDE.

21               WE SUPPORT THE ADC REGULATIONS TODAY,  
22      OPTION NO. 1.  AFTER FOUR YEARS, THREE REGULATORY  
23      PACKAGES, TWO BILLS, AND ONE LAWSUIT, WE'RE HERE



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24        TODAY TO TALK ABOUT A FEW THICKNESSES OF A FEW  
25        ADC'S. I'M GLAD IT'S COUNTED DOWN TO THIS



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1        TECHNICAL DISCUSSION BECAUSE WE HAVE THE INFORMA-  
2        TION TO SUPPORT THE THICKNESSES.

3                    I COMMEND BOTH SCOTT WALKER AND  
4        ELLIOT BLOCK ON THE STRATEGIES TO REMOVING SOME OF  
5        THE TECHNICAL DISCUSSION ON SOME ADC'S TO MOVE  
6        OTHER ADC'S FORWARD WITH REGARDS TO TARPS AND GREEN  
7        WASTE. A LOT OF OUR MEMBER COMPANIES ARE ENJOYING  
8        THE BENEFIT OF THE OPPORTUNITY TO GO AHEAD WITH THE  
9        TARPS AND GREEN WASTE AND OTHER ADC'S THAT WERE  
10       ALLOWED TO BE APPROVED. AND THEN IN THE MEANTIME  
11       WE'RE ABLE TO SUPPLY SCOTT WITH INFORMATION, AND  
12       SCOTT WAS ABLE TO COMPILE THE INFORMATION NEEDED TO  
13       SUPPORT THE TECHNICAL THICKNESSES TO OAL.

14                   COVER ONE THING THAT IS ALWAYS  
15       BENEFICIAL AS PART OF THIS PROCESS WITH ALTERNATIVE  
16       DAILY COVER IS TRANSFERRING THE INFORMATION BACK TO  
17       THE LEA'S, AND THE BEST VEHICLE I KNOW OF ARE THE  
18       LEA ADVISORIES. OVER THE YEARS I HAD A LOT OF HELP  
19       WRITING LEA ADVISORIES FOR THE GREEN WASTE AND THE  
20       TARPS. I BELIEVE IN ORDER TO GET THAT REGULATORY  
21       LANGUAGE TO DECANT IT BACK DOWN TO OPERATIONAL  
22       EXPERIENCE AND HOW TO IMPLEMENT IN THE FIELD WOULD  
23       BE VERY IMPORTANT TO GET LEA ADVISORIES OUT FOR



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24        EACH TYPE OF ADC IN THIS PACKAGE.    AND THAT COULD  
25        BE A FOLLOW-UP THROUGHOUT THE YEARS AND DOES NOT



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1        NEED TODAY'S -- BEFORE THESE REGULATIONS ARE  
2        APPROVED. WE WOULD SUPPORT OPTION NO. 1 AND WITH  
3        FOLLOW-UP LEA ADVISORIES IN THE FUTURE. THANK YOU  
4        FOR YOUR SUPPORT TODAY.

5                CHAIRMAN FRAZEE: THANK YOU. DISCUSSION?

6                MEMBER JONES: MR. CHAIRMAN, I WOULD LIKE  
7        TO MOVE CONCURRENCE WITH RESOLUTION NO. 97-550.

8                MEMBER RELIS: SECOND.

9                CHAIRMAN FRAZEE: WE HAVE A MOTION AND  
10       SECOND ON THE ADOPTION OF RESOLUTION 97-550. IF  
11       THE SECRETARY WILL CALL THE ROLL ON THAT, PLEASE.

12               THE SECRETARY: BOARD MEMBER RELIS.

13               MEMBER RELIS: AYE.

14               THE SECRETARY: BOARD MEMBER JONES.

15               MEMBER JONES: AYE.

16               THE SECRETARY: CHAIRMAN FRAZEE.

17               CHAIRMAN FRAZEE: AYE. MOTION IS CARRIED.  
18       AND I THINK THAT IS FINAL ACTION ON THAT. THAT  
19       DOES NOT NEED TO GO TO THE BOARD.

20               MR. BLOCK: THAT WOULD NEED TO GO TO THE  
21       BOARD.

22               CHAIRMAN FRAZEE: FINE. THAT COMPLETES  
23       OUR AGENDA. IS THERE ANY DISCUSSION? WE WILL BE  
24       MEETING IN CLOSED SESSION AT 1:30 P.M. TODAY, AND



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25       SO WE WILL STAND IN RECESS UNTIL THAT TIME.

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1                   MS. RICE:   MR. CHAIRMAN, COULD THAT FINAL  
2   ITEM BE CONSENT TO THE BOARD?

3                   CHAIRMAN FRAZEE:   MY UNDERSTANDING WAS  
4   THAT IT DIDN'T NEED TO GO TO THE BOARD AT ALL.

5                   MS. RICE:   THIS IS FOR ADOPTION OF THE  
6   REGULATIONS.   THE BOARD NEEDS TO ADOPT THE  
7   REGULATIONS.

8                   CHAIRMAN FRAZEE:   OKAY.   YES.   WITHOUT  
9   OBJECTION, WE'LL RECOMMEND CONSENT.

10                  MS. RICE:   GREAT.   THANK YOU.

11

12                                (THE COMMITTEE WAS RECESSED AT 11:10  
13   A.M. UNTIL 1:30 P.M., AT WHICH TIME A CLOSED  
14   SESSION WAS HELD AT THE CONCLUSION OF WHICH THE  
15   MEETING WAS THEN ADJOURNED.)

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